

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

**JESSIE MEDLIN, PRESIDENT, 2012 PRESIDING**

**March, 5, 2012**

**A. CALL TO ORDER**

The March 5, 2012 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie Medlin, Board President.

Sheriff Bill Rasco of the DeSoto County Sheriff's Department was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear all business to come before the Board. The following 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
- W. E. Sluggo Davis-----Chancery Clerk
- Michael Garriga-----County Administrator
- Tony Nowak -----Board Attorney
- Sheriff Bill Rasco-----Sheriff

**B. INVOCATION**

Supervisor Lee Caldwell presented the invocation.

**C. PLEDGE OF ALLEGIANCE**

**D. CITIZEN REMARKS**

Supervisor Jessie Medlin asked if there were any citizens present who wished to speak to the Board of Supervisors about an item not listed on the Agenda. No one in the audience responded.

**E. APPROVAL OF FEBRUARY MINUTES**

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

The official minutes of the Board of Supervisors were read by each member for the month of February 2012.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to accept the minutes of the Board of Supervisors for February 2012, as presented this date with changes previously submitted pursuant to Section 19-3-27 of the Mississippi Code of 1972, annotated. The motion passed by a vote as follows:

- Supervisor Jessie Medlin-----YES
- Supervisor Mark Gardner-----YES
- Supervisor Bill Russell-----YES
- Supervisor Lee Caldwell-----YES
- Supervisor Harvey Lee-----YES

**See Exhibit E**

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

Supervisor Jessie Medlin asked if there were any additions or deletions to the Agenda.

- 1.) Sheriff Bill Rasco requested to add the service agreement for commissary services at the jail.
- 2.) Supervisor Mark Gardner asked to add an update regarding the Crimestoppers group.
- 3.) Vanessa Lynchard asked to add the following items:

**a. Bids for Lawn Care Service**

Vanessa Lynchard presented the results of the bids for lawn care service for DeSoto County facilities as follows:

<b>BID ITEM:</b> Lawn Care & Landscaping		<b>BID FILE NUMBER:</b> 12-151-003					
<b>BID OPENING DATE:</b> March 1, 2012		<b>BID OPENING TIME:</b> 2:00 p.m.					
	<b>A</b>		<b>B</b>		<b>C</b>		
<b>Bidder</b>	<b>Lawns (Excluding Courthouse , Administration &amp; Jail)</b>		<b>Court House &amp; Administration Buildings</b>		<b>Alternate #1 Sheriff's Deputy. SID Facility</b>		
	<b>MONTHLY</b>	<b>YEARLY</b>	<b>MONTHLY</b>	<b>YEARLY</b>	<b>MONTHLY</b>	<b>YEARLY</b>	
Affinity Lawn Scapes	\$ 5,430.00	\$ 65,160.00	\$ 1,000.00	\$ 12,000.00	\$ 400.00	\$ 4,800.00	
Brite Solutions	\$ 6,458.40	\$ 77,500.80	\$ 2,106.00	\$ 25,272.00	\$ 540.00	\$ 6,480.00	
Chandler's Lawn Service	\$ 6,045.00	\$ 72,540.00	\$ 1,425.00	\$ 17,100.00	\$ 1,500.00	\$18,000.00	
Landscape Services Group	\$ 8,729.61	\$ 104,755.32	\$ 3,011.41	\$ 36,136.92	\$ 311.14	\$ 3,733.68	
The Landcare Group	\$ 6,970.00	\$ 83,640.00	\$ 1,873.00	\$ 22,476.00	\$ 643.00	\$ 7,716.00	
<b>RECOMMENDATION:</b>							
	<b>Lawns (Excluding Courthouse, Administration &amp; Jail)</b>		<b>Affinity Lawn Scapes</b>				
	<b>Courthouse and Administration Building</b>		<b>Affinity Lawn Scapes</b>				
<b>BUDGET IMPACT:</b>							
	Current Contract	This Bid (A & B)	\$ Difference	% Difference			
	\$ 53,970.00	\$ 77,160.00	\$ (23,190.00)	42.97%	Increase		

Vanessa recommended Affinity Lawn Scapes for all lawns including Courthouse, Administration Building and Jail as described in Category A on the bid tabulation, the lawns for Courthouse and Administration Buildings as described in Category B. She said the Board of Supervisors could evaluate the cost of the lawn care service for the Sheriff’s Department Special Investigation Division listed in Category C on the bid tab. She reminded the Board considered doing that area in-house rather than including it in the contract.

Assistant Director of Facilities Management, Tony Martin said his office as talked to Affinity Services to make sure lawn care service would be as requested according to the bid specifications.

County Administrator Michael Garriga said the bid specifications requested a higher level of service at the courthouse and Administration Building.

Sheriff Bill Rasco said the Sheriff’s Department there would be no savings by using in-house inmate labor to cut grass at the SID facility.

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to accept the recommendation for the lowest and best bid from Affinity Lawn Scapes for Categories A, B and C on the bid tabulation, for the Board attorney to review the contract to make sure the contract includes a non-performance clause; and instructed to Facilities Management Department to oversee the services better than in the past; to

make sure that mulching is done timely; to make shrubbery is appropriately maintained and for the Board President to sign the final amended contract. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Mark Gardner -----YES  
Supervisor Bill Russell-----YES  
Supervisor Lee Caldwell-----YES  
Supervisor Harvey Lee-----YES

The Board of Supervisors discussed that the services needed to be better provided than in the past or they would exercise the non-performance clause.

**See Exhibit F.3.a**

**b. Sole Source Purchase for the Sheriff’s Department**

Procurement Director Vanessa Lynchard presented a sole source purchase request benefitting the DeSoto County Sheriff’s Department for a Latent Fingerprint Workstation to be used to search, compare and retrieve fingerprints images stored in the Shelby County Sheriff’s Department fingerprint database, to latent fingerprints recovered at crime scenes in DeSoto County and surrounding areas. She said the system would also allow access to the fingerprint databases maintained by the State of Tennessee and the State of Arkansas. The system and in particular the software used to perform the various functions are exclusive and proprietary in nature to this specific manufacturer and cannot be obtained from any other source. Vanessa said any other hardware or software other than the one provided and configured by this manufacturer would not be compatible with the fingerprint databases listed from any other source.

Vanessa presented a requisition totaling \$38,200.00 for the software, workstation and all associated equipment.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the purchase as requested for the DeSoto County Sheriff’s Department from Safran MorphoTrak, finding the goods being purchased qualify as a sole source item, and as more fully detailed in Exhibit F.3.b. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Mark Gardner-----YES  
Supervisor Bill Russell-----YES  
Supervisor Lee Caldwell-----YES  
Supervisor Harvey Lee-----YES

**See Exhibit F.3.b**

**c. Approval of Bid Specifications for Pest Control Service**

Vanessa Lynchard presented bid specifications for pest control service for County facilities. She said the pest control vendor informed the County last week of a price increase. Vanessa said there have been ongoing pest problems at the DeSoto County Jail that have made the County to determine it is best to solicit bids. The Procurement Department was assisted by the Facilities Management Department to prepare the bid specifications in time for Board approval today.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the specifications and to approve soliciting bids for pest control services in DeSoto County facilities as fully described in Exhibit F.3.c. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Mark Gardner-----YES  
Supervisor Bill Russell-----YES

Supervisor Lee Caldwell-----YES  
 Supervisor Harvey Lee-----YES

**See Exhibit F.3.c**

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to approve adding items to the Agenda as listed above. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
 Supervisor Mark Gardner-----YES  
 Supervisor Bill Russell-----YES  
 Supervisor Lee Caldwell-----YES  
 Supervisor Harvey Lee-----YES

**G. CONSENT**

The Board of Supervisors considered the items on the Consent Agenda.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell 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 February and paid to Humana:

<b>Funding Request</b>	<b>Date Paid</b>	<b>Amount</b>	<b>Claim Type</b>
<b>Date</b>			
2/1/12	2/1/12	\$73,269.14	Administration Fees
2/6/12	2/7/12	\$29,219.77	Medical
2/6/12	2/7/12	\$7,196.15	Dental
2/6/12	2/7/12	\$17,743.38	Prescription
2/13/12	2/14/12	\$28,594.74	Medical
2/13/12	2/14/12	\$3,358.39	Dental
2/13/12	2/14/12	\$13,173.10	Prescription
2/20/12	2/21/12	\$55,409.31	Medical
2/20/12	2/21/12	\$4,503.40	Dental
2/20/12	2/21/12	\$14,020.69	Prescription
2/27/12	2/28/12	\$78,282.67	Medical
2/27/12	2/28/12	\$5,328.25	Dental
2/27/12	2/28/12	\$17,211.86	Prescription
	<b>TOTAL</b>	<b>\$347,310.85</b>	

**2. Justice Court Report**

Criminal Cases Filed	76
Civil Cases Filed	458
Traffic Tickets Filed	802
Total Cases Filed	1,336
State Assessments	\$68,547.50
County General Fund	\$108,743.20
Total Collections	\$177,290.70

**3. Bailiff Pay** – Bobby Holloway - \$380.00 Liz Medlin - \$190.00 Brandon Hylander - \$230.00

**4. Publication of Board Proceedings**

**5. Office of Finance & Accounting**

**a. Budget Amendments**

**b. Approval for Interfund Transfer**

To: EMA Grants Fund	044-000-387	\$13,200.00
From: Sheriff Forfeiture Fund	120-900-951	\$13,200.00

**6. Department of Road Management**

**a. Road Report**

**b. Work Schedule**

**c. Road Bond Report**

**7. Chancery Clerk**

**a. Allowance (1) \$1,750.00**

**b. Petition to Adjust Homestead**

<b>Name</b>	<b>Parcel No.</b>	<b>Reason for Adjustment</b>
Bowen, Carol	1088 2705 2689.00	Delete from State
Leonard, Joye	1068 3407 1 9.00	Delete from State
Hubbard, Mae Lynn	2076 2303 379.00	Delete from State

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
 Supervisor Mark Gardner -----YES  
 Supervisor Bill Russell-----YES  
 Supervisor Lee Caldwell-----YES  
 Supervisor Harvey Lee-----YES

See Exhibit G

**H. OLD BUSINESS**

**1. Environmental Services**

**a. 9:00 a.m. - Public Hearing: 817 Thunderbird Drive**

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to open the Public Hearing in regard to the subject property. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
 Supervisor Mark Gardner-----YES  
 Supervisor Bill Russell-----YES  
 Supervisor Lee Caldwell-----YES  
 Supervisor Harvey Lee-----YES

Environmental Services Manager Ray Laughter said the property at 817 Thunderbird Drive has been cleaned and is in compliance with the County ordinance. Mr. Laughter said they located the property owner and she said she did not know the property was in such bad shape. Mr. Laughter said she apologized to the Board of Supervisors for the issue.

Supervisor Mark Gardner said he would like to see current pictures to compare to the pictures before the property was cleaned.

Supervisor Harvey Lee said the property looks good and he has received several calls of appreciation since the property has been cleaned up.

Supervisor Jessie Medlin asked if there was anyone present to speak regarding the property at 817 Thunderbird Drive. No one came forward.

Supervisor Jessie Medlin and Supervisor Bill Russell seconded the motion to close the Public Hearing and find there is no further action to take in regards to the property. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----	YES
Supervisor Mark Gardner-----	YES
Supervisor Bill Russell-----	YES
Supervisor Lee Caldwell-----	YES
Supervisor Harvey Lee-----	YES

**b. Sanitation Reroute**

Environmental Services Manager Ray Laughter said starting next Monday the letter would be sent to customers regarding the reroute schedule of Waste Connections. He said there is a list of customers whose pickup schedule would be changed. Mr. Laughter said starting today the stickers would be placed on cans and the route change is effective next Monday, March 12<sup>th</sup>. Mr. Laughter said to direct anyone with questions to call Environmental Services at 429-5593 or Waste Connections at 901-398-5400.

Supervisor Lee Caldwell said she received a couple of calls complimenting Waste Connections and the County for communication to the public regarding the reroute.

**2. Office of Finance & Accounting: Bank Depository Bids – Operations and Payroll Accounts**

Supervisor Jessie Medlin recused himself from discussion of the bank depository bids and left the room.

Chief Financial Officer Tom Arnold presented numbers from the banks and said they are the same as he presented in a prior Board meeting. Mr. Arnold explained that some County departments take credit cards for payments and they would remain the same with no changes. He said the credit cards are held by BancorpSouth, 1<sup>st</sup> Tennessee and Trustmark Banks. Mr. Arnold said Trustmark bid for holding County funds. He said 1<sup>st</sup> Tennessee offers the best interest rate. Mr. Arnold recommended changing the operations and payroll accounts to 1<sup>st</sup> Tennessee Bank. He recommended leaving Liability Insurance, Sheriff’s Equitable and Sharing Fund and the Postage Account with BancorpSouth for the immediate future.

Chancery Clerk Sluggo Davis said the Chancery Clerk’s Office, Tax Collector’s Office and Justice Court accept credit cards.

Mr. Arnold said the Bank has assured him they would not change the services with the credit cards.

Supervisor Mark Gardner said he was concerned because he knew some of the accounts were using First Security Bank. Supervisor Gardner said representatives said the account was too big for them to hold. They said when the next bid goes out they would submit a letter of interest to hold funds.

Supervisor Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve the recommendation to approve 1<sup>st</sup> Tennessee as a County Depository and for

operations and payroll to move to 1<sup>st</sup> Tennessee Bank, and to leave Liability Insurance, Sheriff's Equitable and Sharing Fund and the Postage Account with BancorpSouth for the present with a possibility of changing at a later date. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----RECUSED & ABSENT  
Supervisor Mark Gardner-----YES  
Supervisor Bill Russell-----YES  
Supervisor Lee Caldwell-----YES  
Supervisor Harvey Lee-----YES

**See Exhibit H.2**

**3. Board Attorney**

**a. Consideration of Adopting a Pet Limit Ordinance**

Board Attorney Tony Nowak said the past Board asked him to investigate the authority to draft an ordinance to limit the number of domestic animals a homeowner could own. Mr. Nowak advised the Board that he determined there was authority for the County to adopt such an ordinance. Since this is a new Board, Mr. Nowak wished to inquire if they would like for him to pursue drafting the ordinance.

Supervisor Bill Russell asked if there were similar ordinances in other areas in place regarding the number of pets a homeowner can own. Mr. Nowak said yes, there are a number of places across the country with such ordinances.

The Board discussed the issue and said the original request was in reference to a situation on Dunn Lane. There was a home acting as a rescue or kennel and kept possibly 100 dogs.

The Board of Supervisors discussed the issue further and decided there was enough protection in place to address any issues regarding the number of pets a homeowner can own. Mr. Nowak was advised not to proceed with drafting an ordinance at this time.

**b. Consideration of Lease Agreement with Olive Branch – Pleasant Hill North Fire Station**

Board Attorney Tony Nowak said the Board of Supervisors authorized him to draft a lease agreement with the City of Olive Branch for use of the fire station formerly occupied by the Summers Hill Fire Department. He said the agreement before the Board had been approved by Chief Storey and the City of Olive Branch. Mr. Nowak said most leases to use County facilities for fire stations are long term leases. However, the Board requested this lease not be a long term lease as it would like to entertain the possibility of selling the facility to the City of Olive Branch. Mr. Nowak explained the city has not determined if they want to purchase the building so they are requesting a one year term but with the option of three one year extensions.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the lease agreement between DeSoto County and the City of Olive Branch for the fire department (Pleasant Hill North Fire Station) located in the building formerly occupied by the Summers Hill Fire Department. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Mark Gardner -----YES  
Supervisor Bill Russell-----YES  
Supervisor Lee Caldwell-----YES  
Supervisor Harvey Lee-----YES

**See Exhibit H.3.b**

**I. NEW BUSINESS**

**1. Volunteer Northwest Mississippi – Introduction of New Director**

Peggy Linton appeared before the Board of Supervisors to introduce Anna Dickerson who is the new Director of Volunteer Northwest Mississippi.

Ms. Dickerson presented a mission statement of Volunteer Northwest Mississippi which is to develop, promote and support volunteerism in Northwest Mississippi with a strong focus on DeSoto County. They accomplish that mission by working and building a strong network of individuals, nonprofit organizations and businesses in the area. Ms. Dickerson said since January 2011, Volunteer Northwest Mississippi has recruited 1,829 volunteers. She said the value average per hour for the volunteer worker was \$15.28.

Supervisor Bill Russell asked if the community can access the web site to volunteer their services. Ms. Dickerson said yes, anyone can access the web site.

Supervisor Mark Gardner said years ago he was a volunteer fireman. Supervisor Gardner said there is a need for volunteer firemen and EMS workers. He asked if Northwest Mississippi could help getting volunteers for these areas.

Ms. Linton said we have youth clubs who have signed on now.

Vanessa Lynchard said Volunteer Northwest Mississippi is also helping with the Earth Day Event and the Vietnam Tribute.

The Board of Supervisors thanked Ms. Linton and Ms. Dickerson and Volunteer Northwest Mississippi for their contribution to volunteerism in the County and the many projects they participate in providing volunteer assistance.

**See Exhibit I.1**

**2. Emergency Services: Consideration of the Revised Hazardous Mitigation Plan and Request for Public Hearing to Advise Public of Revisions**

Emergency Services Director Bobby Storey said it is time to review the Hazardous Mitigation Plan, which is necessary every five years.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to set this matter for a public hearing on March 19, 2012. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Mark Gardner -----YES  
Supervisor Bill Russell-----YES  
Supervisor Lee Caldwell-----YES  
Supervisor Harvey Lee-----YES

**See Exhibit I.2**

**3. MDOT Scenic Byway Proposal and Application**

Greenways Coordinator Larry Jarrett said DeSoto County Greenways was asked to consider nominating different roads as a scenic byway. He said Old Highway 161 has a state and federal section byway. Mr. Jarrett said we already have a scenic byway and are now looking at other possibilities. He said they met with the Mississippi River Corridor President and he suggested making a loop in the County. Mr. Jarrett said the entities who currently maintain the sections of roadway would continue to do so. He said the designation would not prevent further development. Mr. Jarrett said it would not prevent widening the road to four lanes in the future. Mr. Jarrett said it would allow business

advertising but not billboards. The only cost would be time spent on the application. He said they would provide two signs per road and we would have to provide the remaining signs. Mr. Jarrett said if MDOT approves the designation we would ask the legislature to officially make the designation in 2013. He said the road for which they will apply for designation is the Great River Road to Walls, down 301 to Arkabutla Lake. He said the application is due on April 30, 2012.

Supervisor Jessie Medlin said these are all state roads.

County Administrator Michael Garriga asked if there is a downside to this plan. Mr. Jarrett said he did not see a negative.

Supervisor Lee Caldwell asked if the committee would name it. She said that would be good because the name of Highway 304 is confusing.

Road Manager Russell Dorris said the County, not the state, is already maintaining those roads.

Supervisor Medlin said he did not think a sign was necessary every half mile. That would be a problem with maintenance of the roadway.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve applying for the MDOT Scenic Byway designation as recommended. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
 Supervisor Mark Gardner -----YES  
 Supervisor Bill Russell-----YES  
 Supervisor Lee Caldwell-----YES  
 Supervisor Harvey Lee-----YES

**See Exhibit I.3**

**4. Office of Finance & Accounting**

At the recommendation of the Inventory Control Clerk, Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to approve the inventory dispositions as follows:

**a. Inventory Control – Preliminary**

**1.) Declaration of Forfeitures for the Sheriff’s Department Vehicles**

AGENCY	CASE #		DATE DECLARED	MANUFACTURER	DESCRIPTION	SERIAL #	VALUE
SID	2011-47864	SERGIO TREVINO	02/13/12	FORD	2008 F-150 (SILVER)	1FTRW12W08FB36182	14000.00
SID	DC-06-0077	GENARO IBARRA	02/03/12	JEEP	1993 CHEROKEE (BLACK)	1J4GZ58Y8PC547774	2000.00
SID	2010-24706	NICHOLAS MAGILOR	02/02/12	NISSAN	2001 PATHFINDER	JN8DR07Y01W526506	6000.00
SID	080822173	DONALD COLLIER	02/08/12	PERDERSOLI	PISTOL	H9133	150.00
SID	080822173	DONALD COLLIER	02/08/12	ORDANCE	PISTOL	P113845	150.00
SID	080822173	DONALD COLLIER	02/08/12	TAURUS	PISTOL	NZK33939	150.00
SID	080822173	DONALD COLLIER	02/08/12	RUGER	RIFLE	13120867	150.00
SID	080822173	DONALD COLLIER	02/08/12	RUGER	RIFLE	12550492	150.00
<b>SID</b>				<b>FORFEITURE</b>	<b>VALUE</b>		<b>\$ 8,750.00</b>

**2.) Environmental Services – Preliminary Inventory Dispositions**

ASSET #	DESCRIPTION	SERIAL #	REASON FOR DISPOSAL	LOCATION AT PRELIMINARY
30852	PROMO CAMCORDER W/TRIPOD	1018425	OBSOLETE/OUTDATED	INVENTORY CONTROL

**3.) GIS – Preliminary Inventory Dispositions**

ASSET #	DESCRIPTION	SERIAL #	REASON FOR DISPOSAL	LOCATION AT PRELIMINARY
31454	Computer (made from parts)	NONE	not working/used for parts	IT
35182	APC Smart UPS 3000	YS0420110945	not working	IT

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
 Supervisor Mark Gardner -----YES  
 Supervisor Bill Russell-----YES  
 Supervisor Lee Caldwell-----YES  
 Supervisor Harvey Lee-----YES

**See Exhibit I.4.a**

**b. Grants Administration – Approval to Apply for two TIGER Grants**

County Engineer Andy Swims said a few weeks ago, Grants Administrator Tom Haysley notified him regarding a potential for two grants for road improvements in the county. Mr. Swims said one grant is for improvements on Swinnea Road area that is greater than 75% developed. He said a portion of the road does not connect. Mr. Swims said this area of roadway is a highly urbanized area in Southaven.

Supervisor Bill Russell asked if Southaven would participate in the 25% match. Mr. Swims said they are interested, but they have not made a commitment.

Supervisor Mark Gardner said there is a couple of Southaven Alderman who are very interested in pursuing it. He said it would be a corridor that would help that area. Supervisor Gardner said he would like to see this be a city and county project. He said he was asked whether the ditch on the alignment would require a bridge or a box culvert. Mr. Swims said he thought it would be a box culvert.

Supervisor Jessie Medlin asked if the road is on the MPO list. Mr. Swims said yes. Supervisor Medlin asked if MPO money could be used for the match. County Administrator Michael Garriga said he assumed it cannot be used because normally, you cannot match federal money with federal money.

Supervisor Medlin asked the length of time before the application has to be turned in. Mr. Swims said the application would have to be submitted this month.

Supervisor Russell said he is not sure the City of Southaven would be willing for the County to be in charge of the project. He said it is good to have a city and county participating, but perhaps the City should apply for the city portion. Supervisor Russell said there were issues in working with Southaven on the Starlanding project.

Supervisor Gardner said this would be a great project if we can pursue it.

Supervisor Medlin asked if the Board votes to proceed today, if it would be locked in.

Supervisor Gardner said that would create the assumption that the County would provide

the match if we approve to apply today.

Supervisor Russell said he would like to look at adding Starlanding and Church Roads or Highway 51.

Mr. Swims said, if it is not too late, we can add those roads.

Supervisor Lee Caldwell agreed that those roads would be important.

Mr. Swims said they submitted the original letter of interest on Holly Springs Road as well. This one is not an urbanized road so there would be no local match.

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to pursue the project and apply for the TIGER grants for Swinnea Road and Holly Springs Road, and to approve Tom Haysley to act as the County representative and authorize Supervisor Mark Gardner to talk to the City of Southaven to see if there is interest regarding the grant match on the Swinnea Road project. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----	NO
Supervisor Mark Gardner -----	YES
Supervisor Bill Russell-----	YES
Supervisor Lee Caldwell-----	YES
Supervisor Harvey Lee-----	YES

Supervisor Jessie Medlin said we need to have our money worked out before sending the grant in.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve looking into the grant for Starlanding and Church Road west of Highway 51. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----	NO
Supervisor Mark Gardner -----	YES
Supervisor Bill Russell-----	YES
Supervisor Lee Caldwell-----	YES
Supervisor Harvey Lee-----	YES

**See Exhibit I.4.b**

**c. Claims Docket**

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

Supervisor Mark Gardner clarified the reason his airfare to Washington was higher than the others who attended, is because the reservation was made one day later, although he was on the same flight and attended the same meetings as the other County representatives. He said the purpose of the trip was Air Quality in the County.

Supervisor Gardner asked about the Tax Assessor’s claim on the docket. Mr. Arnold said this claim is for Bill Bryant’s contract as County Appraiser and is renewed annually.

Supervisor Gardner said there was discussion about installing a well at the Animal Shelter. He asked if the amount of the water bill on the docket was indicative of a normal bill and requested that it be analyzed to see the best option for the Shelter.

Supervisor Gardner asked about the claim on page 80 regarding the courts. Mr. Arnold said the County is the home county and some of that money will be reimbursed by participating counties.

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

Supervisor Jessie Medlin-----YES  
Supervisor Mark Gardner -----YES  
Supervisor Bill Russell-----YES  
Supervisor Lee Caldwell-----YES  
Supervisor Harvey Lee-----YES

**5. Chancery Clerk’s Office: Dixie Acres Subdivision – Amend Plat Revision Due to Road Closing**

Chancery Clerk Sluggo Davis said there is a paper road in the Dixie Acres Subdivision and the plat has been revised. Mr. Davis said the road has been removed from the subdivision and the plat changed accordingly. He said Mr. Gartrell wants the bond refunded.

Supervisor Bill Russell and Supervisor Lee Caldwell seconded the motion to release the bond on the Dixie Hills since the Chancery Clerk reported that all the obligations to vacate the road have been met. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Mark Gardner -----YES  
Supervisor Bill Russell-----YES  
Supervisor Lee Caldwell-----YES  
Supervisor Harvey Lee-----YES

**6. Board Attorney**

**a. DeSoto County Partners Tax Appeal**

Board Attorney Tony Nowak requested this Agenda item be moved to Executive Session.

**b. Authorization to Draft MOU with City of Hernando for Department of Road Management to Perform Maintenance on Sidewinder Road**

Board Attorney Tony Nowak said a Memorandum of Understanding needed to be in place with the City of Hernando for the work on Sidewinder Road as approved by the Board at the prior meeting, to be performed.

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to authorize the Smith, Phillips, Mitchell, Scott and Nowak Law Firm, to draft a Memorandum of Understanding with the City of Hernando and authorize the Board President to sign the agreement. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Mark Gardner -----YES  
Supervisor Bill Russell-----YES  
Supervisor Lee Caldwell-----YES  
Supervisor Harvey Lee-----YES

**7. Contracts**

**a. Ratify**

At the recommendation of Vanessa Lynchard, Supervisor Bill Russell made the motion

and Supervisor Jessie Medlin seconded the motion to ratify the following contracts with Williams Scotsman:

- 1.) Williams Scotsman Storage Building ACC21998
- 2.) Williams Scotsman Storage Building ACC21897
- 3.) Williams Scotsman Storage Building ACC20040

And to renew the following contract with William Scotsman:

**b. Renew (Lease Attached)**

- 1.) Williams Scotsman – Aviation MFO08955

**c. Approve (Lease Attached)**

**1.) JefBar**

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to approve a contract with JefBar contingent on their meeting the service obligations required by the County, and subject to changes as recommended by the Board Attorney. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
 Supervisor Mark Gardner -----YES  
 Supervisor Bill Russell-----YES  
 Supervisor Lee Caldwell-----YES  
 Supervisor Harvey Lee-----YES

**See Exhibit I.7.c.(1)**

**2.) Alcoa Services**

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the contract and related letter with Alcoa Services for a security system at the DeSoto County Forensics Center, an annex of the Sheriff’s Department, and with changes approved by the Board Attorney.

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
 Supervisor Mark Gardner -----YES  
 Supervisor Bill Russell-----YES  
 Supervisor Lee Caldwell-----YES  
 Supervisor Harvey Lee-----YES

**See Exhibit I.7.c.(2)**

**8. Office of Procurement: Bids Under Advisement**

**a. County-Wide Phone System (Information Technology)**

Information Technology Director John Mitchell said they received bids as follows for the county-wide phone system:

COMPANY	VoIP SYSTEM	CABLING	TOTAL COST FOR SYSTEM	SERVICE COST YEARLY MAINTENANCE CONTRACT	OPTION: SWITCHES OFFERED FOR TRADE IN (not recommended)
Black Box Network Services*					\$ (9,150.00)
1 year support/maintenance	\$ 261,427.86	\$ 160,721.00	<b>\$ 422,148.86</b>	Included in Cost	
3 year support/maintenance	\$ 261,427.86	\$ 160,721.00	<b>\$ 422,148.86</b>	\$ 42,614.47	
5 year support/maintenance	\$ 261,427.86	\$ 160,721.00	<b>\$ 422,148.86</b>	\$ 50,536.55	
Business Communications Inc	\$ 487,881.13	\$ 241,793.46	<b>\$ 729,674.59</b>	\$ 65,000.00	No Bid
Presidio Networked Solution	\$ 495,119.07	\$ 302,940.99	<b>\$ 798,060.06</b>	\$ 65,000.00	No Bid
<b>Alternate Design Pricing</b>					
Black Box Network Services			<b>No Alternate</b>		
Business Communications Inc	\$ 532,950.73	\$ 241,793.46	<b>\$ 774,744.19</b>	\$ 37,380.00	
Presidio Networked Solutions			<b>No Alternate</b>		
<b>RECOMMENDATION: BLACK BOX NETWORK SERVICES - FIRST YEAR SUPPORT</b>					

Mr. Mitchell said part of the redesign of the phone system would pay for the system. It should be adequate for a good ten years.

Supervisor Bill Russell asked what the core system looked like. Mr. Mitchell described the core system which included several switches throughout the County.

Supervisor Mark Gardner said we have four different phone systems in the Administration Building and probably a total of ten systems throughout the County. Some of these are obsolete and this upgrade would bring one consistent system that would be easier to maintain. Supervisor Gardner said the system would have Voice-Over IP and long distance savings would help pay for the system.

Supervisor Lee Caldwell said we were looking at purchasing replacements for obsolete systems anyway.

Supervisor Bill Russell asked if the proposed phone system has been discussed with Department Heads and Elected Officials to make sure this system meets their needs. Mr. Mitchell said yes.

Supervisor Harvey Lee how long the proposed phone system would last. Mr. Mitchell said approximately ten years.

County Administrator Michael Garriga said this bid is \$300,000 less than the other bids.

Supervisor Lee Caldwell asked if there is a time we would lose service with this system. Mr. Mitchell said no.

Supervisor Caldwell asked who would provide training for all of the departments. Mr. Mitchell said the vendor would provide training.

Supervisor Russell asked if financing is the best route to take to purchase the system.

The Board of Supervisors reviewed financing terms as follows:

\$422,148.86

	BancorpSouth	Renasant Bank	Trustmark	Citizens National Bank
Lease Term - 3 years	2.010%	2.390%	1.800%	2.490%
Lease Term - 4 years	2.060%	2.540%	1.950%	2.600%
Lease Term - 5 years	2.090%	2.640%	2.150%	2.740%
Lease Term - 6 years	2.140%	No Bid	2.250%	2.920%
Buy-out at End of Lease Period	\$0.00	\$0.00	No	No
Master Lease	No, but they do offer MLP	No Answer	No Answer	None
Comments	Contingent on delivery by 5/15/12			

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve the lowest and best bid from Black Box for a phone system for County offices to finance the system for five years through BancorpSouth who was the lowest bid for financing and to authorize the Board Attorney to review the lease purchase agreement. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
 Supervisor Mark Gardner -----YES  
 Supervisor Bill Russell-----YES  
 Supervisor Lee Caldwell-----YES  
 Supervisor Harvey Lee-----YES

See Exhibit I.8.a

**b. Metal Culverts**

Vanessa Lynchard presented the bids for metal culverts as follows:

BID TABULATION								
Equipment: Re-Bid Corrugated Metal Culverts 54"-96"						Bid File Number: 12-156-020		
Bid Opening: 2:00 p.m.						Bid Opening: February 28, 2012		
DELIVERED BY VENDOR TO COUNTY								
G & O Supply Inc.								
ROUND PIPES						ARCH PIPES		
Diameter	Corrugation	Guage	FY11 Usage (Round)	Round Price LF	Total Based on FY11 Usage	FY11 Usage (Arch)	Arch LF	Total Based on FY11 Usage
54"	3" x 1"	14	3	57.65\$	172.95\$	0	\$ 63.41	-\$
60"	3" x 1"	14	9	63.31\$	569.79\$	0	\$ 69.65	-\$
66"	3" x 1"	14	0	73.26\$	-\$	0	\$ 80.59	-\$
72"	3" x 1"	12	4	108.90\$	435.60\$	0	\$ 152.46	-\$
84"	3" x 1"	12	0	126.73\$	-\$	0	\$ 178.60	-\$
96"	3" x 1"	12	2	145.53\$	291.06\$	0	\$ 204.74	-\$
BAND			0			-\$		
54"	2'	14	2	115.30\$	230.60\$	0	\$ 126.82	-\$
60"	2'	14	5	126.62\$	633.10\$	0	\$ 139.30	-\$
66"	2'	14	0	146.52\$	-\$	0	\$ 161.18	-\$
72"	2'	12	0	217.80\$	-\$	0	\$ 304.92	-\$
84"	2'	12	0	253.46\$	-\$	0	\$ 297.20	-\$
96"	2'	12	0	291.06\$	-\$	0	\$ 409.48	-\$
TOTAL				\$2,333.10\$				-\$
TOTAL OF ALL PIPES						\$2,333.10		
RECOMMENDATION: G & O SUPPLY, INC.								

Vanessa said that G & O Supply, Inc. is the only bidder for metal culverts. She said there were two companies who provided this item but G& O bought Contech. She said the bid tab represents a 12.58% increase in pricing.

Road Manger Russell Dorris said the Road Department joined in this recommendation for G & O Supply.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the bid from G & O Supply as the only bidder for metal culverts according to the bids submitted. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Mark Gardner -----YES  
Supervisor Bill Russell-----ABSENT  
Supervisor Lee Caldwell-----YES  
Supervisor Harvey Lee-----YES

**See Exhibit I.8.b**

**c. Traffic Sign Supplies**

Vanessa Lynchard reminded the Board of Supervisors that one category of traffic sign supplies had to be rebid and she submitted the bid tabulation as follows:

PRODUCT	G & C SUPPLY CO., INC.	VULCAN SIGNS	CUSTOM PRODUCTS CORP.	IBIS Tek	LIGHTLE ENTERPRISES OF OHIO
	Alternate - Yes Piggyback - Yes	Alternate - Yes Piggyback - No	Alternate - Yes Piggyback - Yes with shipping charges	Alternate - Yes Piggyback - Yes	Alternate - Yes Piggyback - Yes
	Delivery: 7 - 14 working days	Delivery: within 30 working days	Delivery: within 10 working days	Delivery: within 10 working days	Delivery: within 14 working days
<b>CATEGORY G: Letters/Numbers 4090 white C series</b>					
<b>Pack Size</b>	25 per pack	25 per pack	25 per pack	25 per pack	25 per pack
<b>Letters/Numbered for Street Signs</b>					
3" White(3C)	\$ 9.90	\$ 9.03	\$ <b>8.76</b>	\$ 11.63	\$ 20.78
4" White (4C)	\$ 14.50	\$ 14.40	\$ <b>14.09</b>	\$ 18.97	\$ 24.00
5" White (5C)	\$ <b>19.40</b>	\$ 20.75	\$ 20.23	\$ 28.56	\$ 28.12
6" White (6C)	\$ <b>24.30</b>	\$ 28.56	\$ 28.77	\$ 40.40	\$ 33.16
<b>Letters/Lower Case 4090 Series (a-z)</b>					
<b>Pack Size</b>		25 per pack	10 per pack	25 per pack	25 per pack
3" White	No Bid	\$ <b>12.17</b>	\$ 76.60	\$ 16.71	\$ 17.54
4.5" White	No Bid	\$ <b>15.75</b>	\$ 80.63	\$ 33.63	\$ 25.95
<b>Letters/Numbered for Street Signs</b>					
<b>Pack Size</b>	25 per pack	25 per pack	25 per pack	25 per pack	25 per pack
3" Black	\$ 3.95	\$ <b>2.92</b>	\$ 2.65	\$ 3.60	\$ 17.54
4" Black	\$ 5.95	\$ 4.01	\$ <b>3.76</b>	\$ 3.96	\$ 18.22
5" Black	\$ 7.95	\$ 5.05	\$ 4.62	\$ <b>4.43</b>	\$ 19.09
6" Black	\$ 9.95	\$ 6.32	\$ 9.60	\$ <b>5.10</b>	\$ 20.16
<b>Letters/Lower Case (a-z)</b>					
<b>Pack Size</b>		25 per pack	25 per pack	25 per pack	25 per pack
3"	No Bid	\$ <b>3.44</b>	\$ 8.06	\$ 3.85	\$ 17.54
<b>Symbols/White-Diamond Grade</b>					
<b>Pack Size</b>	25 per pack	25 per pack	1 per pack	25 per pack	25 per pack
Apostrophe (') 1"	No Bid	\$ 14.40	\$ 125.00	\$ 4.30	\$ 17.13
Apostrophe (') 2"	\$ 9.90	\$ 28.56	\$ 174.50	\$ 6.56	\$ 18.49
And (&) 2"	\$ 9.90	\$ 13.49	\$ 174.50	\$ 7.68	\$ 18.49
And (&) 4"	\$ 14.50	\$ 20.22	\$ 352.25	\$ 18.98	\$ 24.00
<b>Symbols/Black Vinyl C Series</b>					
<b>Pack Size</b>	25 per pack	25 per pack	1 per pack	25 per pack	25 per pack
Apostrophe (') 1"	\$ 3.90	\$ 4.01	\$ 38.50	\$ <b>3.25</b>	\$ 16.76
Apostrophe (') 2"	\$ 4.00	\$ 6.32	\$ 44.75	\$ <b>3.35</b>	\$ 17.05
And (&) 2"	\$ 4.00	\$ 2.56	\$ <b>56.50</b>	\$ 3.40	\$ 17.05
And (&) 4"	\$ 5.95	\$ <b>3.75</b>	\$ 94.00	\$ 3.96	\$ 18.22
Total No Bid Items	4	0	0	0	0
<b>TOTAL LOW BID ITEMS</b>	2	5	4		
<b>RECOMMENDATION: Category awarded to Vulcan Signs First Alternate: IBIS Tek Second Alternate: Custom Products</b>					

Vanessa recommended the award to Vulcan Signs as the vendor, IBIS Tek as the first alternate and Custom Products as the second alternate. She said it is difficult to evaluate this bid because the types of letters changed during the year which skewed the usage calculations. Vanessa said the recommendations are based on letters with the highest usage.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve the bid for sign supplies with Vulcan Signs, first alternate as IBIS Tek and second alternate to Custom Products as recommended 4090 white C series letters and numbers. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Mark Gardner -----YES  
Supervisor Bill Russell-----ABSTAIN  
Supervisor Lee Caldwell-----YES  
Supervisor Harvey Lee-----YES

See Exhibit I.8.c

**d. Pharmaceuticals**

Vanessa Lynchard presented the results of the pharmaceutical bid as fully described in Exhibit I.8.d, due to the size of the file. Vanessa explained that this bid covers pharmaceutical supplies for the Sheriff’s Department and Emergency Services. She said because the two departments agreed to combine their usage on this bid, the County received a better cost savings. Vanessa said certain vendors specialize in different products connected with this bid, it was divided into categories. She said the recommendation for award is stated on the bid tabulation.

Vanessa said the overall budget impact of the bid shows an overall increase of 13%. She said most of the increase was on pharmacy supplies.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the bid for pharmaceutical supplies as follows:

Category	Award	1 <sup>st</sup> Alternate	2 <sup>nd</sup> Alternate
A	Henry Schein	Bound Tree Medical	Quad Med, Inc.
B	Moore Medical	Henry Schein	Bound Tree Medical
C	Bound Tree Medical	Henry Schein	Quad Med, Inc.
D	Quad Med, Inc.	Bound Tree Medical	Henry Schein
E	Henry Schein	Bound Tree Medical	QuadMed, Inc.
F	QuadMed, Inc.	Bound Tree Medical	Henry Schein
G	Bound Tree Medical	Henry Schein	QuadMed, Inc.
H	Diamond Drugs	Bound Tree Medical	Henry Schein
I	Henry Schein	QuadMed, Inc.	None
J	Moore Medical	Henry Schein	Bound Tree Medical

The motion passed by a vote as follows:

- Supervisor Jessie Medlin-----YES
- Supervisor Mark Gardner -----YES
- Supervisor Bill Russell-----YES
- Supervisor Lee Caldwell-----YES
- Supervisor Harvey Lee-----YES

See Exhibit I.8.d

**9. County Administrator**

**a. Legislative Update Regarding Radar Legislation**

County Administrator Michael Garriga said, at the last Board meeting, there was discussion regarding radar legislation. Mr. Garriga said the Board instructed the Board Attorney to look at the legislation. He said the last day to submit legislation was January 20<sup>th</sup>. Mr. Garriga said they researched the bills that were submitted on radar as follows:

- House Bill 140-Authorize the Sheriff’s Department in any county to use radar
- House Bill 163-Authorize Sheriff’s Department to use radar outside of municipal limits within counties with population greater than 70,000
- House Bill 483-Authorize Sheriff’s Department to use radar outside municipalities in counties with population greater than 50,000
- House Bill 458-Authorize Sheriff’s Department to use radar and it was very similar to House Bill 140
- House Bill 663-Authorize Sheriff’s Department to use radar in counties with population greater than 65,000
- Senate Bill 2127- Authorize Sheriff’s Department to use radar and was similar to House Bill 140
- Senate Bill 2332- Authorize Sheriff’s Department to use radar and similar to Senate Bill 2127

Mr. Garriga said he spoke to Mr. Irb Benjamin and he said he would let the county know about any committee meetings that might interest the Board.

Mr. Garriga said the Board also authorized him to confer with our Legislative Delegation regarding radar. He said he did not get a good sense of commitment from the delegation. Mr. Garriga said one recommended was a referendum on the issue.

Mr. Garriga said also at a previous meeting, the Board authorized pursuing a local and private act for radar for DeSoto County only. He said the last day to submit a local and private is Friday April 20<sup>th</sup>.

Board Attorney Tony Nowak said after looking at the local and private legislation restrictions, it appears that would be a possibility.

Supervisor Bill Russell said he received a call about House Bill 163 or 483 making it out of committee. He said he would like the Board to consider adding the issue as a referendum. He said he has gotten a lot of calls on the subject. Generally the calls are concerned about the use of radar becoming a revenue producer. He said he would hope we could find a way to make a commitment with any money taken in from radar. He said he would like to see the money donated to the schools or an organization like Mothers Against Drunk Driving.

Mr. Nowak said he does not think the Board has authority to do that.

Supervisor Russell said we do have local and private for organizations that we donate to and it may be possible to use the money for one of those.

Supervisor Mark Gardner said he talked to Representative Wanda Jennings and they discussed the possibilities and she thinks it would eventually be in County Affairs. They discussed the referendum and that it would be a non-binding referendum. He said we are all about the safety of our children.

Sheriff Bill Rasco said we may not make any progress this year, but maybe next year we can continue to pursue the issue.

Chancery Clerk Sluggo Davis asked if the Sheriff's Association has taken a stand. Sheriff Rasco said some are for it and some are against it.

Supervisor Medlin said he thinks we should pursue the local and private.

Supervisor Russell asked how much that would cost. Mr. Garriga said the only expense he can think of, is the time it would take to draft the bill. Mr. Garriga said we may need a resolution of support for the local and private.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to authorize Board Attorney Tony Nowak and County Administrator Michael Garriga to work on a resolution for support of radar for the Sheriff's Department in DeSoto County and a local and private bill to send to our Legislators. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Mark Gardner -----YES  
Supervisor Bill Russell-----YES  
Supervisor Lee Caldwell-----YES  
Supervisor Harvey Lee-----YES

**b. Planning Director's Transition**

County Administrator Michael Garriga said the Board had extended an offer of employment for the position of Planning Director to Ted Garrod and he accepted the offer. Mr. Garriga said Mr. Garrod would be in DeSoto County Wednesday through Friday of this week to find a place of residence. Mr. Garriga said he would meet with Mr. Garrod while he is here and hopes to begin his employment the last week in March or first week in April.

Supervisor Lee Caldwell and Supervisor Mark Gardner said they would like to meet with Mr. Garrod during that time. The other Supervisors agreed.

**c. Vehicle Use Policy – Take Home Vehicles**

County Administrator Michael Garriga presented the current vehicle use policy for the Board to update.

Supervisor Mark Gardner asked if there was list of employees who take vehicles home. Mr. Garriga said the following employees who are under his area of authority are allowed to use a County vehicle to take home:

- 1.) Director of Emergency Services
- 2.) Assistant Director of Emergency Services
- 3.) Director of Building and Grounds
- 4.) Board of Supervisors
- 5.) Director of Animal Control
- 6.) Animal Control Officers

Road Manager Russell Dorris said he and some of the employees of the Road Department take home County vehicles and presented a list as follows:

1. Jimmy Cox
2. Rodney Daniels
3. Russell Dorris
4. Joe Gatewood
5. Deryal Owings
6. Rodney Prince
7. Stanley Rochelle
8. Kenny Woods
9. Terry Wright
10. Johnny Conlee
11. Jim Green
12. Michael Kennedy
13. Lee Stewart
14. Andy Swims
15. Scott Young

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to approve the lists of employees who are authorized to take home County vehicles as follows:

County Administration:

1. Director of Emergency Services
2. Assistant Director of Emergency Services
3. Director of Building and Grounds
4. Board of Supervisors
5. Director of Animal Control
6. Animal Control Officers

Road Department:

1. Jimmy Cox
2. Rodney Daniels
3. Russell Dorris
4. Joe Gatewood
5. Deryal Owings
6. Rodney Prince
7. Stanley Rochelle
8. Kenny Woods
9. Terry Wright
10. Johnny Conlee
11. Jim Green
12. Michael Kennedy
13. Lee Stewart
14. Andy Swims
15. Scott Young

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Mark Gardner -----YES  
Supervisor Bill Russell-----YES  
Supervisor Lee Caldwell-----YES  
Supervisor Harvey Lee-----YES

Supervisor Bill Russell asked if we are obligated for tax reporting. Mr. Garriga said the only time it becomes an issue with the IRS is when the vehicle is used for personal use or personal benefit. Mr. Garriga said our County vehicles are not allowed to be used for personal issues and it is stated in the vehicle use policy.

Supervisor Russell said he wants to make sure the County is following the law.

**See Exhibit I.9.c**

## **10. Department of Road Management**

### **a. Consideration to Terminate Road Damage Bond – Martin Marietta Materials, Inc.**

Subdivision Inspector Michael Kennedy said he received a cancellation notice from Martin Marietta Materials, Inc. on the bond for Graves Road, Ciba Road, and that .6 mile portion of Old Highway 61 that connects Graves and Ciba Road in DeSoto County. Mr. Kennedy said Martin Marietta has sold their facility located on the west side of the County. He said there is a similar business. Vulcan Materials is located near Martin Marietta and the agreement includes them as well. Mr. Kennedy said work needs to be done on that road.

Supervisor Bill Russell said he does not want Vulcan to be punished because Martin Marietta is no longer there. He said we should give Vulcan a chance to pay for their portion of the road maintenance.

Mr. Dorris said he does not know if the County can split a bond.

Supervisor Russell said when they opened 7-8 years ago, we asked them to post a bond.

Mr. Dorris said if they do not agree to fix the road, would the Board give the Department of Road Management the authority to pull the bond.

Supervisor Russell asked the Road Manager to do an estimate of the work that needs to be done.

Board Attorney Tony Nowak said the County, Martin Marietta and Vulcan entered into an agreement that provides for the County maintaining the roads and billing the companies. The bond is to secure compliance with the agreement. He said the best thing may be to sit down with both companies and discuss the options.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell to authorize the Road Manager and Board Attorney to meet with Vulcan Industries and Martin Marietta to determine their intentions related to Graves Road, Ciba Road, and that .6 mile portion of Old Highway 61 that connects Graves and Ciba Road in DeSoto County and to bring the results of the discussion to the next Board meeting. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Mark Gardner -----YES  
Supervisor Bill Russell-----YES  
Supervisor Lee Caldwell-----YES  
Supervisor Harvey Lee-----YES

**See Exhibit I.10.a**

### **b. Finding of Fact: 13070 Braybourne Cove**

Road Manager Russell Dorris said a finding of fact has been conducted at 13070 Braybourne Cove in Olive Branch. Mr. Dorris presented pictures showing a drainage issue on private property that is likely to affect the health, safety and welfare of the public.

Mr. Dorris said the estimated cost of repairs is \$2,521.35.

Based on the recommendation of the Road Manager and in accordance with Mississippi Code section 19-5-92, the Board of Supervisors accepted the finding of fact that a drainage issue located at 13070 Braybourne Cove, Olive Branch, affecting the health, safety and welfare of the public and to authorize the Road Manager to repair the issue at an estimated cost of repairs is \$2,521.35. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Mark Gardner -----YES  
Supervisor Bill Russell-----YES  
Supervisor Lee Caldwell-----YES  
Supervisor Harvey Lee-----YES

**See Exhibit I.10.b**

**c. Request for Maintenance on Industrial Drive West (Jail Road)**

Road Manager Russell Dorris presented a request for repairs on Industrial Drive West (Jail Road) and discussed the attached photos of the road.

Mr. Dorris said construction traffic has caused road failures in the roadway. He said the estimated cost to repair the road is \$7,159.70.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell to approve repairs on Industrial Drive West (Jail Road) at an estimated cost of \$7,159.70 and to approve ongoing maintenance with the money coming from the jail budget. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Mark Gardner -----YES  
Supervisor Bill Russell-----YES  
Supervisor Lee Caldwell-----YES  
Supervisor Harvey Lee-----YES

**See Exhibit I.10.c**

**J. PLANNING COMMISSION AGENDA**

**DeSoto County Board of Supervisors  
Planning Agenda  
March 5, 2012  
11:00 a.m.**

**PUBLIC HEARING**

Supervisor Medlin made a Motion to open a Public Hearing. Supervisor Lee seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

**Rezoning**

**Whitaker Business Park (699) – Request for 7-year extension of Rezoning Approval to rezone 14.65 acres from Agricultural-Residential (A-R) to Planned Business (P-B). Subject**

**property is located on the south side of Kirk Road and east of Polk Lane, in Section 19, Township 1, Range 5 and is zoned Planned Business (P-B). (District 1)**

Ms. Tynan presented the above application for an extension of Rezoning Approval to rezone 14.65 acres from Agricultural-Residential (A-R) to Planned Business (P-B). She stated original approval was granted in 2008 with a condition of approval being that the applicant began construction within 2 years, and a 3-year extension was granted in 2009. Ms. Tynan stated that due changes in the economy, the applicant is asking for a 7-year extension. She then stated there are no changes proposed to the original approval. Ms. Tynan stated Mr. Mark Whitaker is present represent the application. Ms. Tynan noted that notice of the hearing was provided to the surrounding property owners as if this were a rezoning.

Supervisor Russell asked if this site is located in an industrial area. Ms. Tynan confirmed the areas to the north and west of the site are distribution areas.

Mr. Whitaker stated he currently is involved with a light industrial center in south east Shelby County and hopes to have a business similar to it at the new site on Kirk Road. He then stated he hopes the planned business site will be a much needed buffer between the heavy industry area to the north and the residential areas east of his site.

Supervisor Medlin asked if there was anyone present to speak for or against the application. There was no one.

Supervisor Medlin made a Motion to close the Public Hearing. Supervisor Russell seconded the Motion.

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

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

Supervisor Medlin made a Motion to approve the extension of Rezoning Approval to rezone 14.65 acres from Agricultural-Residential (A-R) to Planned Business (P-B), known as Whitaker Business Park for 7 years until March 5, 2019 with staff recommendations. Supervisor Gardner seconded the Motion.

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

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

**NEW BUSINESS**

**Minor Lots**

***District 1***

**Marcus Simpson Minor Lot (6841) – Application is for final subdivision approval of one (1) lot of 2.21 acres. Subject property is located on the south side of DeSoto Road and east of Center Hill Road in Section 28, Township 1, Range 5 and is zoned Agricultural-Residential (A-R). (District 1)**

***District 5***

**Pickens Minor Lot (6844) – Application is for final subdivision approval of one (1) lot of 1.5 acres and one (1) lot of 3.23 acres out of 4.73 acres. Subject property is located on the north**

**side of Wheeler Road and west of Vale Cove in Section 15, Township 4, Range 8 and is zoned Agricultural (A). (District 5) \*\*MUST PLAT AND RECORD\*\***

Ms. Tynan presented the applications above and stated they appear to be in compliance with the County's Zoning and Subdivision Ordinances, subject to right-of-way dedication, Health Department approval, and platting and recording of Pickens Minor Lot. She noted that the Planning Commission voted unanimously to recommend approval of these applications.

Ms. Tynan stated Marcus Simpson Minor Lot is a proposed flag lot, not an access easement therefor it would not be required to be platted and recorded.

Supervisor Medlin asked if there was anyone present to speak for or against the application. There was no one.

Supervisor Medlin made a Motion to approve Marcus Simpson Minor Lot and Pickens Minor Lot subject to right-of-way dedication, Health Department approval, and platting and recording of Pickens Minor Lot. Supervisor Russell seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

**Preliminary Subdivision**

**Hidden Hills Subdivision, First Revision (6843) – Application is to vacate the Hidden Hills Subdivision plat (#6583) and approve a substantially revised preliminary subdivision plat including 12 lots on 38.84 acres. Subject property is located on the west side of Baldwin Road and south of Highway 301 North in Section 34, Township 2, Range 9 and is zoned Agricultural-Residential (A-R). (District 4)**

Ms. Tynan presented the application for Hidden Hills Subdivision, First Revision, and stated the application is to vacate the Hidden Hills Subdivision plat (#6583) and approve a substantially revised preliminary subdivision plat including 12 lots on 38.84 acres. She stated all lots are still under the same ownership and that the new design of the subdivision would provide better building sites.

Supervisor Medlin asked if there is a house located on one of the out parcels adjoining this property. Ms. Tynan stated there is a mobile home located on one of the out parcels.

Supervisor Russell asked if the developer will be required to sign the Residential Development Agreement. Ms. Tynan stated the developer will be required to execute a Residential Development Agreement and the Planning Commission wants to review the new restrictive covenants when submitted.

Supervisor Medlin asked if there was anyone present to speak for or against the application. There was no one.

Supervisor Harvey made a Motion to approve the application for Hidden Hills Subdivision, First Revision, and the application is to vacate the Hidden Hills Subdivision plat (#6583). 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>

**Other Items:**

**1. Update: I-69/I-269 International Trade Corridor Study**

Ms. Tynan stated the Steering Committee will meet on March 29, 2012 for the first in a series of scenario planning workshops. She went on to state staff is planning a bus tour of the corridor study area for the Steering Committee in mid-April or early May. Ms. Tynan then stated Planning staff hopes to hold a public workshop in June of 2012 to receive stakeholder input on the scenarios created by the Steering Committee.

Supervisor Medlin stated he heard the ground breaking for the portion of I-269 near Highway 305 could happen as early as late spring or early summer.

**K. EXECUTIVE SESSION**

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

**L. OTHER ISSUES**

**1. Greenways – Mississippi Recreational Trails Program Grant**

Greenways Coordinator Larry Jarrett said there is a grant for up to \$100,000 with a 20% match which can be provided by Greenways.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve applying for the Mississippi Recreational Trails Program Grant with a 20% match to be paid by the DeSoto County Greenways program. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Mark Gardner -----YES  
Supervisor Bill Russell-----YES  
Supervisor Lee Caldwell-----ABSENT  
Supervisor Harvey Lee-----YES

**2. Sheriff’s Department: Commissary Agreement**

Sheriff Bill Rasco said the previous Board approved a commissary agreement and the term has expired. He said this is the same contract that has been in place since the beginning of his term of office.

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve the Commissary agreement contingent upon the Board Attorney’s review. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Mark Gardner -----YES  
Supervisor Bill Russell-----YES  
Supervisor Lee Caldwell-----YES  
Supervisor Harvey Lee-----YES

**3. Crimestoppers Update**

Supervisor Mark Gardner updated the Board on meetings with Crimestoppers regarding issues brought up by the Sheriff. He said he talked to the Crimestoppers Board, but were

unable to meet with the Sheriff during that meeting. Supervisor Gardner said both parties are still willing to meet. He said they would continue to pursue setting up the meeting.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to recess the meeting until March 19, 2012 at 9:00 a.m. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Mark Gardner -----YES  
Supervisor Bill Russell-----YES  
Supervisor Lee Caldwell-----YES  
Supervisor Harvey Lee-----YES

THIS the 5<sup>th</sup> day of March 2012, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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Jessie Medlin, President  
DeSoto County Board of Supervisors