

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

DISTRICT ONE JESSIE MEDLIN, PRESIDING

March 7, 2016

A. CALL TO ORDER

The March 7, 2016 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 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
Misty Heffner	Chancery Clerk
Vanessa Lynchard	County Administrator
Tony Nowak	Board Attorney

B. INVOCATION

Pastor John Allen May of Eastpoint Church gave the invocation.

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF FEBRUARY 2016 MINUTES

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to accept the minutes of the Board of Supervisors for February, 2016, as presented this date. The motion included approving all minutes as presented with those changes pursuant to Section 19-3-27 of the Mississippi Code of 1972, annotated.

The motion passed by a vote as follows:

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

See Exhibit D

E. Citizen Remarks & Presentations

Mr. John Allen May, 11101 Mosby Lane, Hernando, stated that he had come to the Board on behalf of neighbors to ask questions regarding a business coming in on their street. Mr. May said that the neighbors had found out a month ago that Mill Creek LLC has opened up a rehabilitation center on Mosby Lane and they are concerned about a business opening up and the area being zoned A/AR. Mr. May further stated that he had verified on the Mill Creek website that they are a round-the-clock care center; and the neighbors wanted to know if a business license had been filed, if they had a tax id, and

if it was legal for them to operate a business from this home. Supervisor Jessie Medlin asked how many homes were in question. Mr. May stated that the company has bought two homes, but only one is occupied at this time. He stated that when sprinkler systems and exit lights were installed in the home, the neighbors suspected commercial activity and began to investigate.

Supervisor Michael Lee stated that, after being contacted by Mr. May and others in the neighborhood, he contacted the Director of HCBS and Development at Mill Creek, Mr. Joe Earp, for more information. Mr. Earp informed Supervisor Lee that there will be three (3) mentally challenged adults living in the home. He stated this is a step-down program with nursing care accessible 24 hours a day. Mr. Earp further stated that there will be no more than four (4) people in the home. Mr. May stated that the concern is not who is occupying the dwelling at the moment, but what could come in future. He further stated that the concern is not so much the nature of the business, but just the fact that it is a business.

Supervisor Mark Gardner asked Mr. Bennie Hopkins, DeSoto County Planning Director, to speak on the issue. Mr. Hopkins informed the Board that he had a call from Mill Creek in August last year requesting information on regulations regarding housing for individuals such as this. Mr. Hopkins said the zoning ordinance defines a family of one or more individuals living in a housing unit, with no more than four (4) not related. He stated the threshold is four (4) persons non-related living in a house. Mr. Hopkins stated that regulatory oversight cannot happen unless they go over the allowed number. He also referred to the Fair Housing Act that states a disabled person can be a mentally challenged person.

Supervisor Gardner asked if a privilege license was required. Mr. Hopkins stated that, based on the ordinances, the Planning Commission determined this is a rental property and a privilege license is not issued for homes such as this.

Supervisor Bill Russell expressed concern on running a business in a residential area. He asked if the home would be allowed to advertise. Board Attorney Tony Nowak stated that the distinction here is that Mill Creek is running a business, but they are not running the business out of that home. Supervisor Russell asked who was actually renting the home. Mr. May asked if the residents of the home were paying for rent or medical care. Mr. Nowak stated that he has been informed the inhabitants are renting rooms in the home and medical care agents are coming to them in the home. He further informed the Board that there have been legal challenges to similar situations nationwide, and the Courts have found that reasonable accommodations must be made for disabled individuals. Mr. Nowak said that he would look up the Mill Creek website and get more information to see if they have crossed a line.

Supervisor Mark Gardner stated that there are homes sprinkled across DeSoto County that are shelters, homes for disabled, and so forth. He said he had spoken to one of the neighbors and the major concern he expressed was also about the business and how it operates.

Supervisor Michael Lee made the motion and Supervisor Bill Russell seconded the motion to approve the firm of Smith, Phillips, Mitchell, Scott & Nowak to look into the legalities of the Mill Creek property on Mosby Lane and be sure they are legally occupying the home.

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. Approval of Agenda: Additions and Deletions

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

- 1. Sheriff Bill Rasco asked to consider Land Acquisition for Executive Session.**
(Executive, K.4.)

2. **Supervisor Mark Gardner requested to add authorization for travel to MAS in June, 2016.** (New, I.24.a.)
3. **Director of Procurement and Administrative Services Pat McLeod requested to move Item G.9. (Contract Administration – Memphis Communication Mailing System) to Item G.5. (Establish as Part of the Formal Record and Enter into the Board’s Minutes)** (Consent G.5.b.)
4. **Director of Planning Bennie Hopkins asked to table Haven Minor Lot, 2nd Revision under the Planning Agenda, Item 1.a.ii.**

County Administrator Vanessa Lynchard requested adding the following:

5. **Grants Administration – NFusion Grant – Approval to Change “Authorized Representative” to Tanner Kuntz.**
(New, 8.c.)
6. **Remove Item I.18.c. Update on County Cemeteries**
(This was later added back to the Agenda)
7. **Request to consider for Executive Session – Potential Litigation – Tax Levy**

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the Agenda with the additions, deletions, and corrections set forth above.

The motion passed by a vote as follows:

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

G. CONSENT AGENDA

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

1. Publication of Board Proceedings
2. Department of Human Resources: Monthly Health Claims Report

Funding Request	Date Paid	Amount	Claim Type
Date			
2/1/16	2/1/16	\$83,597.20	Administration Fees
2/1/16	2/1/16	\$29,703.47	Medical
2/1/16	2/1/16	\$5,116.05	Dental
2/1/16	2/1/16	\$14,964.31	Pharmacy
2/8/16	2/9/16	\$31,569.96	Medical
2/8/16	2/9/16	\$4,688.25	Dental
2/8/16	2/9/16	\$17,230.35	Pharmacy
2/15/16	2/16/16	\$30,858.31	Medical
2/15/16	2/16/16	\$3,784.61	Dental
2/15/16	2/16/16	\$19,006.87	Pharmacy
2/22/16	2/23/16	\$34,676.08	Medical
2/22/16	2/23/16	\$8,033.00	Dental
2/22/16	2/23/16	\$27,869.04	Pharmacy
2/29/16	3/1/16	\$41,523.14	Medical
2/29/16	3/1/16	\$4,002.85	Dental
2/29/16	3/1/16	\$21,191.78	Pharmacy
	TOTAL	\$377,815.27	

3. Office of Finance & Accounting

a. Budget Amendments – Sheriff’s Department – Patrol/Law Enforcement
 Adult Drug Court
 Chancery Court Administrator
 Emergency Medical Services
 Animal Shelter Operations
 EMA

DeSoto County, Mississippi						
BUDGET AMENDMENT REQUEST						
Fund/Department #		001 / 202		Updated 7/15		
Date:		3/7/2016				
1						
Patrol / Law Enforcement						
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
001-202-571	Dues & Subscriptions	\$ -	\$ -	\$ 7,060.00		\$ 7,060.00
001-202-544	Service/Maintenance Contract	\$ 25,989.79	\$ 94,437.00		\$ 4,000.00	\$ 90,437.00
001-202-622	Public Outreach	\$ 239.80	\$ 5,565.00		\$ 3,060.00	\$ 2,505.00
TOTALS				\$ 7,060.00	\$ 7,060.00	\$ 100,002.00
Reason for Request: Adjust for various budget deficits. (Show detailed justification)						
Requested by: Donna Ford For Department: Sheriff's Department						
Fund/Department #		001 / 202		Updated 7/15		
Date:		3/7/2016				
2						
Patrol / Law Enforcement						
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
001-202-588	Veterinarian Fees	\$ 1,675.50	\$ 3,000.00	\$ 1,000.00		\$ 4,000.00
001-202-546	Other Repairs & Maintenance	\$ 539.57	\$ 7,000.00		\$ 1,000.00	\$ 6,000.00
TOTALS				\$ 1,000.00	\$ 1,000.00	\$ 10,000.00
Reason for Request: Adjust for various budget deficits. (Show detailed justification)						
Requested by: Donna Ford For Department: Sheriff's Department						
Fund/Department #		026 / 244		Updated 7/15		
Date:		3/7/2016				
3						
Adult Drug Court						
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
026-244-919	Furniture / Office Equipment - Under \$5000	\$ 137.00	\$ 26,000.00		\$ 6,000.00	\$ 20,000.00
026-244-915	Vehicles - Above \$5,000	\$ -	\$ 29,000.00	\$ 6,000.00		\$ 35,000.00
TOTALS				\$ 6,000.00	\$ 6,000.00	\$ 55,000.00
Reason for Request: Adjust to purchase new vehicle (Show detailed justification)						
Requested by: Craig Sheley For Department: Adult Drug Court						
Fund/Department #		028 / 172		Updated 7/15		
Date:		3/7/2016				
4						
Chancery Court Administrators						
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
028-172-603	Office Supplies and Materials	\$ 1,936.41	\$ 2,200.00	\$ 700.00		\$ 2,900.00
028-172-919	Furniture / Office Equipment - Under \$5,000	\$ -	\$ 3,400.00		\$ 500.00	\$ 2,900.00
028-172-587	Training and Registration	\$ 25.00	\$ 1,000.00		\$ 200.00	\$ 800.00
TOTALS				\$ 700.00	\$ 700.00	\$ 6,600.00
Reason for Request: To adjust line items to allow for purchase of office supplies as needed. (Show detailed justification)						
Requested by: Linda Stinson for Chancery Court Administrators per Chancellor Percy Lynchard, Jr For Department: Chancery Court						
Fund/Department #		001 / 240		Updated 7/15		
Date:		3/7/2016				
5						
Emergency Medical Services						
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
001-240-546	Other Repairs & Maintenance	\$ 1,351.56	\$ 2,500.00	\$ 3,000.00		\$ 5,500.00
001-240-587	Training & Registration	\$ 331.70	\$ 17,000.00		\$ 3,000.00	\$ 14,000.00
TOTALS				\$ 3,000.00	\$ 3,000.00	\$ 19,500.00
Reason for Request: Adjust to cover costs of repairs and maintenance (Show detailed justification)						
Requested by: Fiodor Baraniuk For Department: Emergency Medical Services						
Fund/Department #		001 / 445		Updated 7/15		
Date:		3/7/2016				
6						
Animal Shelter Operations						
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
001-445-587	Training & Registration	\$ 275.00	\$ 1,050.00	\$ 900.00		\$ 1,950.00
001-445-594	Other Contractual Services	\$ 112.00	\$ 2,500.00		\$ 900.00	\$ 1,600.00
TOTALS				\$ 900.00	\$ 900.00	\$ 3,550.00
Reason for Request: ACTS training class in Olive Branch for animal control officers. (Show detailed justification) This training is usually held out of State but will be held locally saving the County money.						
Requested by: Monica Mock For Department: Animal Control						

DeSoto County, Mississippi						
BUDGET AMENDMENT REQUEST						
Fund/Department #		044 / 280		Updated 7/15		
Date:		3/7/2016				
EMA Task Force Grant						
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
044-280-587	Training & Registration	\$ 1,546.74	\$ 20,000.00		\$ 15,500.00	\$ 4,500.00
044-280-617	Rescue Supplies	\$ 2,923.95	\$ 3,000.00	\$ 33,900.00		\$ 36,900.00
044-280-681	Repair & Replacement Parts	\$ 959.55	\$ 3,000.00		\$ 1,500.00	\$ 1,500.00
044-280-699	Other Consumable Supplies	\$ 263.93	\$ 9,000.00		\$ 5,500.00	\$ 3,500.00
044-280-921	Other Cap Outlay Under \$5,000	\$ 2,411.40	\$ 16,140.00		\$ 11,400.00	\$ 4,740.00
TOTALS			\$ 51,140.00	\$ 33,900.00	\$ 33,900.00	\$ 51,140.00
Reason for Request: (Show detailed justification)						
To adjust the line items to correctly match the grant line items approved by Mississippi Office of Homeland Security						
Requested by: Bobby Storey						
For Department: Fire/EMA/Homeland Security						

b. SID Forfeitures

Case #	Defendant	Date Seized	Receipt #	Amount	Date of Forfeiture
2016-02120	Not required	1/13/16	31600	260.00	2/19/16
			TOTAL	\$260.00	

Case #	Defendant	Date Seized	Receipt #	Amount	Date of Forfeiture
2016-0478	Not required	01/25/2016	31614	552.00	03/02/2016

4. Road Department
 - a. Road Report
 - b. Monthly Work Schedule
 - c. Road Bond Report
5. Establish as Part of the Formal Record and Enter into the Board's Minutes
 - a. Order Appointing Part-Time Public Defender
 - b. Contract Administration: Memphis Communication Mailing System/Accounting
6. Office of Procurement

Request to Approve Bid Specifications and Solicit Bids for One New Fire Truck Bid File #16-251-001
7. Tax Assessor – Corrections for the 2015 Land Roll
8. Human Resources – Uniform Reimbursement for Sheriff's Department
9. Contract Administration – (Moved to 5.b. above)
10. Justice Court Report

February 2016

Criminal Cases Filed	241
Civil Cases Filed	611
Traffic Tickets Filed	1,428
Total Cases Filed	2,280
State Assessments	\$117,118.25
County General Fund	\$180,497.24
DPS	\$3,570.00
Total Collections	\$301,185.49

Submitted by: Pat Sanford
Date: 29-Feb-16

BAILIFF PAY

I Keith Combas request \$ 505.00 : pay for serving as civil and criminal court bailiff 7 Days per month, as per section 25-7-27(1(e)) and 19-19-8 provided under section 25-3-69 MS Code.

District 1
Judge K. Cal Dates

Civil	Criminal
<u>2-12-2016</u>	<u>2-13-2016</u> <u>2-26-2016</u>

District 2
Judge _____ Dates

Civil	Criminal

District 3
Judge Bobby Holloway Dates

Civil	Criminal
<u>2-10-2016</u> <u>2-24-2016</u>	<u>2-3-2016</u> <u>2-10-2016</u> <u>2-17-2016</u> <u>2-24-2016</u>

District 4
Judge _____ Dates

Civil	Criminal

District 5
Judge Keith Combas Dates

Civil	Criminal
	<u>2-1-2016</u> <u>2-28-2016</u>

Constable Paul Cole
Date 2-29-2016

BAILIFF PAY

I Bobby Holloway request \$ 300.00 : pay for serving as civil and criminal court bailiff 4 Days per month, as per section 25-7-27(1(e)) and 19-19-8 provided under section 25-3-69 MS Code.

District 1
Judge _____ Dates

Civil	Criminal

District 2
Judge _____ Dates

Civil	Criminal

District 3
Judge _____ Dates

Civil	Criminal

District 4
Judge Paul Cole Dates

Civil	Criminal
<u>02-09-16</u> <u>02-23-16</u>	<u>02-02-16</u> <u>02-09-16</u> <u>02-16-16</u> <u>02-23-16</u>

District 5
Judge _____ Dates

Civil	Criminal

Constable Bobby Holloway
Date 02-29-16

11. MDOC Reimbursement for January 2016

Supervisor Bill Russell pointed out the health claims are down and the cash balance is up and that is a good thing.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve the items and actions presented in the Consent Agenda.

The motion passed by a vote as follows:

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

See Exhibit G

H. OLD BUSINESS

1. Contract Administration – Recreational District – Management Agreement for Robertson Donald Park

Board Attorney Tony Nowak informed the Board this is a management agreement between the North MS Lady Tigers, LLC and the County. He stated that this group currently manages the Lake Cormorant Park, and this agreement is the same as the Lake Cormorant Park agreement. Mr. Nowak stated that the Lady Tigers organize team schedules, use of field, and manage the concessions. The league dues collected go back into the park, where the Lady Tigers receive money from concessions. The Lady Tigers report to the County regarding money in and how it is spent.

Supervisor Russell stated that this group does an excellent job. He informed the Board that they had gotten specific infield dirt donated, and the fields at Robertson Donald Park look great.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve the Management Agreement with North MS Lady Tigers, LLC for Robertson Donald Park and

authorize the Board President to sign.

The motion passed by a vote as follows:

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

See Exhibit H.1.

2. Getwell Road/ College to Church and Red Banks Road Overlay Project

Mr. Tracy Huffman, State Aid Engineer with Waggoner Engineering stated they accepted bids for the Getwell Road and Red Bank Road Overlay Projects and received 2 bids. The bids were from Lehman-Roberts and APAC. Mr. Huffman stated the Engineer’s estimate was \$781,206.00, and the lowest and best qualified bid was received from Lehman-Roberts Company, Inc. in the amount of \$699,583.97. He further stated that the project fund total will include a 5% contingency fund and 12% of the contract construction cost to cover engineering services for a total of \$818,600.00

It is the recommendation of Mr. Huffman that the Board award the Getwell Road and Red Banks Road Overlay Project Contract to Lehman-Roberts Company, Inc. as the lowest and best qualified bid, add the 5% contingency fund and 12% engineering services amount; and he requests the Board authorize the Board President to sign the necessary documents.

Supervisor Mark Gardner made the motion and Supervisor Michael Lee seconded the motion to award the Getwell Road and Red Banks Road Overlay Project contract to Lehman-Roberts Company, Inc. as the lowest and best qualified bid, add the 5% contingency fund and 12% engineering services amount for a total of \$818,600.00; and authorize the Board President to 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>

See Exhibit H.2.

3. Craft/Bethel Road Update

Mr. Scott Young, Assistant County Engineer informed the Board that progress is being made regarding the widening of the roads at this intersection and he is working on getting some good numbers to bring to them at a later meeting date.

4. Comcast Franchise Agreement

Supervisor Mark Gardner introduced Mr. Ronnie Colvin, Comcast Sr. Director for External Affairs. Mr. Colvin expressed his appreciation to the Board for allowing him and Mr. Ronnie Jackson, Director of Technical Operations in Memphis, to come and address the Board regarding some significant changes that Comcast has made. Mr. Colvin stated that he is based in Jackson and has been with Comcast 33 years. He has recently taken responsibility for the Mid-South market and has met with Mr. Nowak and Supervisor Gardner.

Mr. Colvin informed the Board that Comcast has gone mobile with 6,000 added hotspots in North Mississippi. Customers may now use the internet nationwide, and Comcast is offering 100MB per second internet speeds in DeSoto County.

Mr. Colvin further stated that late in 2015 Comcast set forth a plan to reinvent the customer experience to help customers. Part of this transformation is to hold employees and contractors accountable. He said they are committed to hiring over 5500 new customer service agents. Mr. Colvin stated that Comcast does upward of 5,000 transactions per month in DeSoto County.

Mr. Colvin told the Board they will be having a grand opening at 5150 Goodman Road in Olive Branch the end of April. He stated that they have also added Saturday & Sunday hours . Mr. Colvin gave the Board business cards and asked them to call him if they had customer complaints and/or questions on issues that have not been addressed.

Supervisor Gardner stated that Mr. Colvin had heard that DeSoto County was having issues and he presented a plan that addresses every issue that was brought up at the public hearing regarding Comcast. Some of the major issues that have been addressed are having Managers in place during business hours, more customer service representatives, and more technicians. Supervisor Gardner commended Mr. Colvin for resolving the issues in a timely manner. Supervisor Russell also commented that the response time was great.

Supervisor Gardner also pointed out that Comcast had pulled out of the DeSoto Economic Council and has now made a commitment to rejoin, so he is seeing a lot of positive things come about.

Supervisor Medlin asked if more employees had been hired to man the new store on Goodman. Mr. Colvin stated that a store that size usually has 8-10 employees in varied shifts. He stated that they have also added chat agents. Supervisor Medlin asked if he was at home tonight and called in, where that call would go. Mr. Colvin stated it would go to a regional call in office unless there was a great number of calls and it went to an overflow center.

Board Attorney Tony Nowak stated that the basics of the contract with Comcast took about a year and a half to negotiate. He stated the goal in negotiations was to bring the franchise agreement to current standards. The final work is a 10-year agreement giving a 5% franchise fee of the gross revenue to the County. Comcast agreed to a number of changes resulting in about \$40,000 more in annual franchise fees for a county. This is a percentage of gross revenue, so as the subscriber number goes up, so does the fee.

Supervisor Gardner stated that the company has had many changes since the original agreement, so a new agreement was needed. The fees paid cover use of right of ways and use of easements. Mr. Nowak stated that the franchise fees are paid quarterly.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to adopt the new franchise agreement with Comcast and authorize the 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 H.4.

I. NEW BUSINESS

1. 9:15 a.m. – MS Department of Health – Environmentalist Update

County Administrator Vanessa Lynchard stated that she had received a letter noting some changes in the inspection process of wastewater and wells, and there was no mention of the DeSoto County Environmental Office closing. Mrs. Lynchard invited Ms. Tina Nations of Senatobia and Mr. Randy Jones, Regional Supervisor for the MS State Department of Health Wastewater Division in Prentiss County to come and speak to the Board about the changes in their department.

Ms. Nations informed the Board that the local environmentalists will now be working from home. Instead of the public visiting the Environmental Office, they will call a toll free number or go on the MS State Department of Health website to apply for an inspection.

Supervisor Michael Lee stated that he had some calls from constituents who are builders and they are worried about the response time on inspections. Mr. Randy Jones stated that when inspectors go out in the field, they are emailing the Planning Department so inspection results are known in real time.

Supervisor Mark Gardner asked how they are replacing the process of going to the office and turning in a sketch. Ms. Nations stated that now the sketches can be scanned and emailed, faxed or an environmentalist can meet the person on site and take care of them.

Supervisor Jessie Medlin expressed concern about people that don't know anything about using computers. Ms. Nations said the people that are manning the call center are environmentalists and can talk people through the process. Supervisor Medlin suggested that Ms. Nations and Mr. Jones talk to the newspaper reporter when they are leaving so the public can be informed.

Supervisor Bill Russell asked Mrs. Connie Scott and Mr. Randy Williams from the DeSoto County Planning Department if their department was giving people the contact information when they call to pull permits. Mrs. Scott said they are doing that. Mr. Williams stated that the real-time response the Planning Department is getting from the environmentalists is great, so far. He stated that builders and individuals can get the approvals very quickly.

Supervisor Gardner expressed concern that, as a Realtor, his office had not heard of the local office closing. He asked Ms. Nations and Mr. Jones to get the word out to the Realtor community so that people would not drive to the office just to see a note on the door. Mr. Jones stated that this decision had come about very quickly and he would see that the Realtors were notified. Ms. Nations stated that this new on-line process should help the Realtors because they will not have to drive to Hernando. Mr. Tanner Kuntz, DeSoto County Public Information Officer, stated that he will get the pertinent information on the website and the County's social media sites. Ms. Nations stated that all fees will be paid online and before the inspections.

Supervisor Lee stated that two of his constituents were present, and he wanted to be sure their concerns as builders were addressed. Mr. Bechel and Mr. Kelly said what they had heard answered all their questions. Supervisor Medlin asked if there were any questions from the public. No one came forward.

Mrs. Lynchard asked when the DeSoto County office would be vacated. Ms. Nations stated that the only items left in the office are the wastewater files. Mrs. Lynchard asked who would be doing inspections. Ms. Nations stated that the list of inspectors is on the handout. Mrs. Lynchard noted that there are less inspectors than before. Ms. Nations said there are, but the inspectors listed will only be doing wastewater inspections and water samples. Mrs. Lynchard asked who would be doing the rest of the inspections. Ms. Nations said the environmentalists currently in DeSoto County would be working from home. Supervisor Caldwell asked how the well water would be tested since people could not bring samples to the office. Ms. Nations said an inspector will come on site and test the well.

Supervisor Medlin asked how long they had known the office was closing. Mr. Jones stated they had known since the last of January or first of February. Supervisor Medlin stated that the Board was disappointed that they were not notified ahead of time.

Supervisor Caldwell stated that the Board felt as if DeSoto County has been "chopped off" the State. She stated that DeSoto County is the largest county with the highest growth and now there is no one in this county. She also expressed disappointment that DeSoto County people were laid off.

See Exhibit I.1.

2. Homestead Denial Appeal – Constance Howard represented by daughter, Katherine Chapel

County Administrator Vanessa Lynchard informed the Board that Mrs. Howard is now deceased and

her daughter is representing her today. Mrs. Lynchard also informed the Board that Chancery Clerk Misty Heffner brought information that she had not seen previously and she asked Mrs. Heffner to share that with the Board.

Mrs. Heffner gave the Board copies of a timeline that Mrs. Heffner's office had put together showing the dates they had contacted and/or spoken with Mrs. Howard and Mrs. Chapel. The timeline started in 2007 when Mrs. Howard filed Homestead with an incorrect social security number that was not discovered until 2014. The State sent a deceased notice in August 2014 and in October 2014, Chancery sent a notice to the Tax Collector's office to remove homestead because of not getting any information back. Mrs. Chapel called after receiving the tax notice. Chancery corrected the homestead and informed Mrs. Chapel they needed Ms. Howard to come in and file a new application with the correct Social Security number. She did not come in to re-file. Mrs. Chapel and Mrs. Howard came in 2016, but provided an id with a Tampa, FL address. The Chancery Office took the application and informed them the State would have to approve it with the Florida address. When Mrs. Chapel came in to file January 2016 after her mother quit claimed the property to her, the Tax Assessor questioned why she did not get the exemption in 2015 with no knowledge of past events. Mrs. Lynchard stated that this office was under the impression that the Social Security number was correct, but there was a typo putting in the application. Mrs. Heffner said the State level did not catch that the Social Security number was wrong. Mrs. Lynchard asked if it was a County typo that the Social Security number was wrong to begin with. Mrs. Heffner said she did not have a handwritten form. Mrs. Lynchard stated that in the meantime, Mrs. Howard has been in adult day care for a few years, and in November 2015 she was in rehab with intentions to return home, but passed away in January 2016.

Mrs. Heffner said that the State Department of Revenue's stance was that Mrs. Howard signed the Homestead Application confirming that all the information was correct. She pointed out that the State did not ask for prior years non-exemption pay.

Board Attorney Tony Nowak stated that he had just received the information from Ms. Heffner and could not provide a concise answer for the Board, and would need to take some time to look into the legalities of it.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to authorize the firm of Smith, Phillips, Mitchell, Scott & Nowak to investigate this case and come back at the March 21st meeting with a possible resolution.

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 Medlin assured Mrs. Chapel that anytime the Board can legally help the citizens they try to do that.

See Exhibit I.2.

3. Property and Casualty Insurance Renewal

Vanessa Lynchard stated the Insurance Committee met with Rex Haynes of SouthGroup Insurance Company a few weeks ago to go over renewal possibilities for the coming year. Mr. Haynes, along with Risk Management Officer Reby Johnson, strategized with departments to meet real needs.

Supervisor Jessie Medlin asked could the county do without the current loss control consultant, A.J. Gallagher, Co. Mr. Haynes said yes, there are alternatives. A lot of what Gallagher Company has done is Worker's Comp Safety. Mr. Haynes has sent the county training videos for review. Supervisor Medlin would like to go a year without Gallagher Company to see what the incident numbers look like. Supervisor Bill Russell wanted to make sure we have someone to do the training.

Mrs. Lynchard stated there is some crossover with liability and workers comp. She further stated that most places don't have a company like Gallagher and they do training themselves or don't train. Road Manager Andy Swims asked if training for flagging and trench safety be available. Vanessa Lynchard affirmed and said, if nothing else, we could do internal hosting with a number of companies. Supervisor Jessie Medlin wants to tap into the resources we are already paying for. Mrs. Lynchard stated we have two possibilities; we can do away with Gallagher and do in-house training, or keep Gallagher. Mr. Haynes said Gallagher does not have anything for the Jail, and Travelers Insurance handles that.

Mrs. Lynchard asked the Board if they wanted Mr. Haynes to go out and shop the business or accept Travelers offer to renew at the same rate as last year. Mr. Haynes stated that if the Board decides to go out for quotes, Travelers may not come in with that bid. Supervisor Jessie Medlin asked when the policy is due. Mr. Haynes said the end of May. Mrs. Lynchard and Mr. Haynes brought the Board's attention to the list of open claims. Mr. Haynes stated there is some value in not going out for bids all the time so as to let the market rest so that you are taken seriously when you really need to go out for bid.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to renew with Travelers and not pay Gallagher the extra \$10,000 per year for training.

The motion passed by a vote as follows:

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

Mrs. Lynchard wanted the Board to know that Lent Rice of the Sheriff's Office said the Sheriff's Office has an internal committee that reviews circumstances to determine if the employee followed protocol. This review can result in more training, reprimand or termination. Mr. Swims is thinking about doing something similar following the Sheriff's Office model in the Road Department. Mr. Haynes stated that they would love to work with Mr. Swims in training any way that they can. Mr. Haynes invited the Board to the May 13 Safety Cookout at the Road Department.

See Exhibit I.3.

4. Emergency Management Agency

a. Hearts of Heroes Award

Deputy Chief Josh Harper informed the Board that he had nominated Chief Bobby Storey for the Hearts of Heroes Fire Chief of the Year based on Chief Storey's characteristics and his 45 years of service to DeSoto County. Mr. Harper also stated that he had nominated Chief Storey for some other awards for which he qualified. Ms. Amanda Fontaine, Executive Director of the Mississippi Burn Foundation, contacted Mr. Harper to let him know Chief Storey was a finalist and she wanted to come to a Board meeting to present him with his award. They were in hopes she would be at this meeting, but she was not able to attend. Mr. Harper will get on the agenda when he finds out Ms. Fontaine's plans.

b. Proclamation for March to be Wildfire Prevention Month

Deputy Chief Josh Harper got an e-mail from the State Fire Coordinator that Mississippi has proclaimed March to be Wildfire Prevention Month. The fire prevention community wants to get the word out to the public to prevent wildfires and grass fires. The EMA office is asking the Board to adopt a proclamation that would make March Wildfire Prevention Month in DeSoto County.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to declare and approve the Proclamation to make March Wildfire Prevention Month in DeSoto County.

The motion passed by a vote as follows:

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

County Administrator Vanessa Lynchard said the Proclamation would be posted in all County buildings and Tanner Kuntz will post it on the County website and social media.

See Exhibit I.4.b.

5. Animal Services – Request to Participate in Kennel Cough Research Project

Animal Services Director Monica Mock informed the Board that Mississippi State College of Veterinary Medicine contacted her and requested that DeSoto County participate in a kennel cough research project. This project would add the drug, Tramadol, to the current meds given to dogs with kennel cough. Mrs. Mock stated that she thinks the college will supply the drug and the protocol and her staff will administer it. Board Attorney Tony Nowak has looked over the Client Consent Form and said it is in order.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to authorize Animal Services Director Monica Mock to sign the Consent Form to participate in the Mississippi State College of Veterinary Medicine Kennel Cough Research Project.

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 I.5.

6. Environmental Services

a. Keep DeSoto County Beautiful Presidential Award & Overall Project Update

Environmental Services Manager Ray Laughter informed the Board that Keep DeSoto County Beautiful was recognized as a recipient of the Keep America Beautiful Presidential Award. He stated that there are about 600 of these awards given, and DeSoto County received one of two in the State of Mississippi with the City of Ridgeland. Mr. Laughter thanked the Board for their vision in having a litter-free DeSoto County. He said his department with the help of many others is working slowly but surely to make that a reality.

Mr. Laughter presented the following list of Keep DeSoto County Beautiful activities:

- Keep DeSoto County Beautiful has appointed sub committees for better program management
 - Litter Committee
 - Organization Committee
 - Focus Area Committee
- Countywide Litter index Assessment done September 2015
- Officially Certified as a Keep America Beautiful Affiliate October 20, 2015
- Conduct Monthly Board Meetings for community planning and project updates
- Supervisor Bill Russell and Ray Laughter attended the MS/AL Conference in Jackson MS in October
- Currently developing an in school Recycling campaign with the Mayor's Youth Council at Hernando High School.
- Currently developing an in school Recycling campaign with Lewisburg Elem School. Carla Jasiek of Belmor Lakes Subd. is heading up this campaign.
- Members worked the Soil and Water Conservation's Annual Tree Give-away and 3rd Grade Tree Program. Over 19,000 trees given away.
- Supervisor Caldwell spoke to the Tate County Garden Club about our efforts and distributed goodie bags with Wildflower seeds in them. Tate County has enacted a "Shame on Y A'LL" sign campaign.
- Wildflower planting project at the entrance of Johnson Creek Greenway with the Town of Walls and Mayor Denison.
- Earth Day Booth 2016
- Received the Presidential Circle Recognition Award at the 2015 Keep America Beautiful National Conference
- Partnering with City of Hernando in Planting 400 Daffodil bulbs around the Court House Square
- County wide Spring Clean Up Day 2016 April 2nd 2016

Supervisor Jessie Medlin asked Mr. Laughter how the school recycling was going. Mr. Laughter stated the obstacle they are trying to work through is getting the recycling from the classrooms to the bins located at the schools.

No Board action was required.

See Exhibit I.6.a.

b. County-Wide Spring Clean Up Day – Saturday, April 2nd

Mr. Laughter advised the Board of the date for this year's Spring Clean Up Day. He stated that the website has all the information and people can sign up to adopt a road. Mr. Laughter went on to say that his office has a contact list of churches in DeSoto County and they are in the process of notifying them. He asked the Board if they would take flyers to their own churches. They all said they would. Supervisor Caldwell has the ROTC groups lined up and Supervisor Russell is contacting the Boy Scouts. Sheriff Bill Rasco said his department has two trailers to pick up the trash, and Road Manager Andy Swims said all the Road Department equipment will be available as well.

Supervisor Jessie made the motion and Supervisor Michael Lee seconded the motion to declare April 2, 2016 as DeSoto County Spring Clean Up Day and have this declaration spread upon the Board minutes.

The motion passed by a vote as follows:

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

See Exhibit I.6.b.

Mr. Laughter also informed the Board that April 6, 2016 is Keep Mississippi Beautiful day at the State Capitol, and KMB will be serving ice cream to the legislators. He would like to take some of the Keep DeSoto County Beautiful board members, and any Supervisors that would like to go, to Jackson on that day.

7. Risk Management Update

Risk Management Officer Reby Johnson brought a report to the Board stating that DeSoto County is doing well. Ms. Johnson noted that this particular report is done on a calendar year. Ms. Johnson also explained that the “report only” column represents a minor occurrence that does not require filing a claim. Supervisor Medlin asked who determined if an employee needed to see a doctor. Ms. Johnson stated that any incident is supposed to be reported, but the direct supervisor can send the employee to the doctor if necessary.

County Administrator Vanessa Lynchard asked the Board to note that claims were less in all departments, but she did want to particularly commend the Sheriff and Road Manager because their departments are so large.

Supervisor Medlin stated that he would like to be in a position that the County’s current insurance carriers provide safety training and stop paying Gallagher for training. Road Manager Andy Swims said that had been discussed at a safety meeting and the County is trying to get a good understanding of the type of training the current carriers can provide. He specifically mentioned trench safety. Mrs. Lynchard stated that property and liability training would not come under Lipscomb & Pitts, but employee safety would, including trench safety training. Supervisor Medlin stated that if the County has training included in some of the services from current carriers, he does not want to pay another company.

Sheriff Bill Rasco made the statement that at the last Board meeting there was a vehicle that had been wrecked and it was thought to be the Sheriff’s Department vehicle. He wanted the Board to know it was not. Mrs. Lynchard stated that it was E911’s vehicle.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to make the Risk Management Update and exhibit a part of the Board minutes.

The motion passed by a vote as follows:

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

See Exhibit I.7.

8. Grants Administration

a. Request Approval to Apply for Larger Amount on Local Government Waste Tire Grant

Grants Administrator Tanner Kuntz and Environmental Manager Ray Laughter informed the Board they met with MDEQ last week. Mr. Laughter said MDEQ said DeSoto County was the best in the state with their recycling efforts and complimented the work of the Board in supporting those efforts. Mr. Kuntz stated that at the last meeting he had requested an estimate of \$45,000 for the Waste Tire Grant. He said that, based on current numbers, the Waste Tire Recycling Program has grown by 22% from the last grant, so he is requesting an increase to \$49,360 to apply for on the grant.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve the amendments to the grant request and authorize the Board President to sign.

The motion passed by a vote as follows:

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

See Exhibit I.8.a.

b. Request Approval to Accept Solid Waste Assistance Grant

Mr. Kuntz informed the Board the County has been awarded \$75,000 on the Solid Waste Assistance Grant and requested approval to accept the \$75,000 and authorize the Board President to sign.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve the acceptance of the \$75,000 on the Solid Waste Assistance Grant and authorize the Board President to sign.

The motion passed by a vote as follows:

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

See Exhibit I.8.b.

c. NFusion Grant - Authorized Representative Change

County Administrator Vanessa Lynchard informed the Board that the Authorized Representative on the NFusion grant needed to be changed from Melissa Zizmann to Tanner Kuntz so that he can manage that grant.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to make Tanner Kuntz the Authorized Representative on the NFusion Grant.

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>

9. Office of Procurement

a. Request to:

- 1) Reject Bids for County Depository (Bid File #16-121-002) and**
- 2) Approve Bid Specs for County Depository (Bid File #16-121-003)**

Procurement Coordinator Karen McNeil informed the Board the Office of Procurement had found out from the Audit Department that, by law, the County is required to show all accounts on the bid. The original bid only provided demand deposits and main accounts. Mrs. McNeil also pointed out that not all accounts were in the bid specifications as needed to keep the bidding process fair. She requested authorization to reject the original county bids and rebid with the new specs listed.

Supervisor Mark Gardner made the motion and Supervisor Michael Lee seconded the motion to reject all the bids for County Depository and rebid with the additional information required by law.

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 I.9.a.1). & I.9.a.2).

b. Request to Approve Department of Road Management Bid Tab for One or More Single Axle Dump Trucks – Bid File #16-156-016

Procurement Coordinator Sheila Morris informed the Board that three vendors had submitted bids. Tag Truck Center was the lowest and best qualified bid. The Road Department and Office of Procurement recommend Tag Truck Center. Road Manager Andy Swims stated the Road Department will be getting rid of the 2 oldest dump trucks and replacing them with these 2 new ones.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to accept the recommendation from the Office of Procurement and the Road Department to accept the bid from Tag Truck Center as the lowest and best qualified 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>

One or More Single Axle Dump Truck
Bid 16-156-016

DeSoto County Board of Supervisors
Office of Procurement
365 Lusher Street, Suite 340
Hernando, MS 38632
BID TAB

February 11, 2016

VENDOR	TAG Truck Center 1650 E. Brooks Road, Memphis, TN	Summit Truck Group 1750 E. Brooks Road, Memphis, TN	Old River Truck Sales 139 Old Hwy. 48 South, Richland, MS 39215		
EQUIPMENT	2017 Freightliner M2106 w/Warren Body	2017 International 4400 w/Warren Dump F-10 Model	2017 Hino 33B		
SALE PRICE PER VEHICLE	\$82,450.00	\$83,789.00	\$80,314.00		
DELIVERY DATE	60 to 75 Days ARO	60-90 Days ARO	45 Days		
EXCEPTION TO THE SPECIFICATIONS					
Engine: 300 Peak HP & 250 lbs. Torque			Engine: 260 HP & Torque 660 lb./ft.		
Transmission: Push button shift control			Transmission: Hard shift control		
Chassis, Frame & Cab: Dash mounted gear shift			Chassis, Frame & Cab: Floor Manual		
RECOMMENDATION: The Department of Road Management recommends awarding TAG Truck Center for the purchase of two (2) dump trucks.					

See Exhibit I.9.b.

c. Request to Approve Facilities Management Bid Tab for Lawn Care and Landscaping – Bid File #16-151-002

Mrs. Morris informed the Board that the Director of Facilities Management would like to recommend Affinity Lawn Scapes for all DeSoto County Buildings.

Supervisor Medlin asked Facilities Management Director Robert Jarman why he recommended a company with a higher bid. Mr. Jarman stated that the bid specs referenced a state statute that requires each company that bids to have a license to work in the State of Mississippi. Only 2 companies met all the requirements; Affinity Lawn Scapes and Rotolo Consultants, Inc. Mr. Jarman said that one of the companies reported to the State that companies were bidding without the correct licenses and they could be fined.

Supervisor Medlin noted that the County is paying apx. \$86,000 now. Mr. Jarman affirmed and added that this bid is for a few more buildings, including the old jail (inside yard), Sheriff’s Department Administration Building, Adult Detention Center, EMA, Horn Lake Library, and Southaven Health

Department. Mr. Jarman said he had used other companies for some of the added buildings, but their work was not satisfactory. He also stated the City of Horn Lake will reimburse for the Horn Lake Library. Supervisor Caldwell asked if this would take care of the trimming of the bushes at Horn Lake Library. Mr. Jarman affirmed.

Supervisor Bill Russell asked if the companies that did not have a license would be fined. Mr. Jarman stated that they probably will be fined. He said the State got a list of the bidders to investigate, because you cannot solicit the business unless you have the State license.

Supervisor Gardner noted the variance in the bids. Mr. Jarman stated that was probably because of the lack of knowledge of what it would take to do the job. Supervisor Medlin asked if there was something in the contract that required workers to have proof of citizenship. Mr. Jarman stated the specs did not address that.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to accept the recommendation from the Office of Procurement and Facilities Management to accept the bid from Affinity Lawn Scapes as the lowest and best qualified 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>

Supervisor Caldwell asked if this company would also take care of the Courthouse lawn. Mr. Jarman said they would. He also said he is working with the Extension Service to sod and seed the bare areas with a mix that would encourage good growth in the shade.

DESOTO COUNTY BOARD OF SUPERVISORS					
OFFICE OF PROCUREMENT					
BID TABULATION					
BID ITEM: Lawn Care & Landscaping			BID FILE NUMBER: 16-151-002		
BID OPENING DATE: February 11, 2016			BID OPENING TIME: 3:00 p.m.		
BIDDERS	ALL COUNTY LOCATIONS		EXCEPTION TO THE SPECIFICATIONS		
	MONTHLY	YEARLY			
US Lawns, Hernando, MS	\$4,225.00	\$50,700.00	YES		
Absolute Lawn Care Services, Southaven, MS	\$6,620.00	\$79,440.00	YES		
Chandler's Turf Pro Lawn Care, Olive Branch, MS	\$7,925.00	\$95,100.00	YES		
Affinity Lawn Scapes, Coldwater, MS	\$8,620.00	\$103,440.00	NO		
Rotolo Consultants, Inc. Memphis, TN	\$11,031.00	\$132,372.00	NO		
Bertha's Cleaning Services, LLC, Walls, MS	\$55,530.00	\$666,360.00	YES		
RECOMMENDATION:	Director of Facilities Management would like to recommend Affinity Lawn Scapes for all DeSoto County Buildings				
BID TERM: March 5, 2016 to March 8, 2020					
SUMMARY					
BUDGET IMPACT:	Current Yearly Contract	New Yearly Contract	\$ Difference	% Increase	
	\$ 86,760.00	\$ 103,440.00	\$ 16,680.00	19.23%	

See Exhibit I.9.c.

d. Request to Approve Department of Road Management Bid Tab for One or More Hydraulic Excavator – Bid File #16-156-017

Mrs. Morris informed the Board that there were 6 vendors and 7 bids. Stribling Equipment submitted two bids. Mrs. Morris stated that the Road Manager prefers the bid from H & E Equipment Services that included an extended warranty option. She pointed out that only this company offered this.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to accept the recommendation from the Office of Procurement and Road Management to accept the bid from H & E Equipment as the lowest and best qualified bid and to approve the purchase of the extended warranty at \$4,023.00.

The motion passed by a vote as follows:

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

Bid File: Hydraulic Excavator
16-156-017

DeSoto County Board of Supervisors
Office of Procurement
365 Lusher Street, Suite 340
Hernando, MS 38632
Bid Tab

Bid Opening: February 26, 2016
10:00

Name of Bidder	Make/Model of Unit	Delivery Date	Bid Price	Warranty	Extended Warranty Option	Exception to the Specifications
1 H & E Equipment Services, Memphis, TN	Doosan DK350LC-5	14 Days ARO	\$ 235,025.98	3yr/5,000 hours	\$4,025.00 Full Machine Warranty for 5yrs/5,000 hours Total w/extended warranty \$239,051.98	
2 Heavy Machines, Inc., Southaven, MS	Link-Belt 310VA	21 Days ARO	\$ 255,500.00	3yr/5,000 hours		HP270 260HP
3 Striking Equipment, Memphis, TN	Hatch ZX350-6	3-2 weeks	\$ 289,900.00	3yr/5,000 hours		
4 Striking Equipment, Memphis, TN	John Deere 350GLC	60-75 Days ARO	\$ 299,950.00	3yr/5,000 hours		
5 Power Equipment, Memphis, TN	KOMATSU PC 360LC-11	4/1/2016	\$ 310,807.00	3yr/5,000 hours		HP 270 & hydraulic system flow at least 150 gal/min using two pumps NO
6 Scott Equipment, Memphis, TN	Volvo PC 300ELC	45 Days	\$ 316,892.00	3yr/5,000 hours		Drawbar pull atleast 46,000 lbs. 64,000 lbs.
7 Thompson Machinery, Memphis, TN	Caterpillar 336FL	50 Days ARO	\$ 313,899.00	3yr/5,000 hours		Undercarriage length must be no more than 16 ft. 6 in. 17 ft.
RECOMMENDATION: Department of Road Management recommends award to H & E Equipment						

See Exhibit I.9.d.

e. Request to Approve Drug Testing Company

Human Resources Director Vickie Richmann stated that the County has been out of the old agreement with Advanced Screening Solutions for about two months. Mrs. Richmann stated that because the next low bid company, HireRight, would not return phone calls or emails, they did not feel comfortable going with them. Human Resources and Procurement feel that Advanced Screening Solutions is the best option and recommends them as the lowest and best qualified bid.

County Administrator Vanessa Lynchard stated that Advanced Screening has addressed the one problem that the County had with them, and there was only one problem in all the years the County has done business with them.

Supervisor Medlin asked if testing on Non-DOT is different. Mrs. Richmann stated that DOT requires more on their screenings.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to accept the recommendation from the Office of Procurement and Human Resources to accept the bid from Advanced Screening Solutions as the lowest and best qualified 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>

Drug Testing Quote Analysis

	Advanced Screening Solutions Tupelo, MS	Baptist Occupational Medicine Department Olive Branch, MS	HireRight Irvine, CA	Business to Business Consulting Hernando, MS	Mid-South Drug Testing Memphis, TN	MEA
Drug Testing Cost						
DOT-Drug & Alcohol						
Urine	\$36.95	\$55.00	\$32.55	\$46.00	\$75.00	\$42.00
Breath Alcohol	\$21.90	\$45.00	\$40.50	\$40.00	\$50.00	\$20.00
NON-DOT & Alcohol						
Urine	\$29.00	\$45.00	\$28.35	\$46.00	\$75.00	\$42.00
Breath Alcohol	\$21.90	\$45.00	\$28.35	\$40.00	\$50.00	\$42.00
Pre-Adverse Action Letter	No Charge	No Quote	\$6.00	\$46.00	No Quote	No Quote
Adverse Action Letter	No Charge	No Quote	\$6.00	\$46.00	No Quote	No Quote
Pre-Employment Testing	LabCorp, Southaven	Baptist Minor Med, Olive Branch	Would not return phone messages (office or cell), emails	Business run out of home	Too Costly	Could not come onsite with current rates
Administration Service Fee	None	\$100 fee for every onsite visit /\$25 for Random List	None	None	\$100	\$250
Based on Prior Year Testing Cost						
Analysis	\$4,926.90	\$7,940.00	\$5,336.85	\$7,726.00	\$12,125.00	\$6,542.00
Administrating Costs	\$0	\$375.00	\$0.00	\$0.00	\$100.00	\$250.00
TOTAL	\$4,926.90	\$8,315.00	\$5,336.85	\$7,726.00	\$12,225.00	\$6,792.00
Price Difference from Lowest Bid		\$3,388.10	\$409.95	\$2,799.10	\$7,298.10	\$1,865.10

See Exhibit I.9.e.

10. Human Resources – Request to Approve New Employment Application

Human Resources Director Vickie Richmann informed the Board that she and Road Manager Andy Swims have been working to consolidate the 3 employment applications that the County was using to get one uniform application that will be used for all departments except the Sheriff’s Department. She stated that Mr. Nowak has reviewed and approve the application.

Supervisor Lee Caldwell stated that she liked that there was now only one application.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the new employment application form as presented by Human Resources.

The motion passed by a vote as follows:

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

See Exhibit I.10.

11. Former Chancery Clerk – Reimburse Excess Revenues for 2015

County Administrator Vanessa Lynchard stated that the Board has received Sluggo Davis’s reimbursement of excess revenues in the amount of \$188,594.32. She stated that the budgeted estimated was \$230,000.00. Chancery Clerk Misty Heffner informed the Board that Mr. Davis had to pay vacation to all the Chancery employees because Mrs. Heffner did not accept that liability.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to accept the reimbursement from former Chancery Clerk Sluggo Davis in the amount of \$188,594.32.

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>ABSENT</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.11.

12. Contract Administration

a. Shred It Document Shredding – Sheriff’s Department – Signature Required

Director of Procurement and Administrative Services Pat McLeod stated that the contract is renewing with updated locations and updated number of bins to service.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to accept the contract with Shred It for the Sheriff’s Department and authorize the Board President to sign.

The motion passed by a vote as follows:

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

See Exhibit I.12.a.

b. Holliday Exterminating – Facilities – Signature Required – Contract Amount Changed

Director of Procurement and Administrative Services Pat McLeod informed the Board this combines the three current contracts into one, adding the Courthouse, Agricultural Building and the Library. The contract requires payment in advance; and approval for this request is based on the finding of fact that the County has been doing business with Holliday Exterminating since before 2000, there is a necessary and immediate benefit to the County, and the vendor has the proven ability to perform. The contract amount has not changed.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to accept the contract with Holliday Exterminating and approve the prepayment based on the finding of fact that the County has been doing business with Holliday Exterminating since before 2000, there is a necessary and immediate benefit to the County, and the vendor has the proven ability to perform.

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 I.12.b.

13. I-69 Mid-Continent Highway Coalition Support

Supervisor Lee Caldwell said the County is part of the Coalition and it is time to pay the Coalition dues. Mrs. Caldwell informed the Board that Hernando, Horn Lake, Olive Branch and Southaven have been asked, and they all agreed, to reimburse the County \$500 each.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to authorize appropriating \$8,000.00 to the I-69 Mid-Continent Highway Coalition for supporting efforts for the completion of Interstate 69/269 and endorse the efforts of the coalition; and to authorize the clerk to accept funds that will be reimbursed in the amount of \$500 each from the cities of Hernando, Horn Lake, Olive Branch and Southaven.

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 I.13.

14. Truck Weight Training by MDOT

a. Weight Limit Training Report

Road Manager Andy Swims stated they had a good meeting with Lt. Mark Hendricks which included a good representation from the county. Mr. Swims received a lot of information including maps, charts, etc. and got a lot of questions answered. Examples of questions answered are: how MDOT is determining overloaded trucks, what they go through on interstate, local roads, and how MDOT will help with violations. Mr. Swims stated that the Interstates allow any truck that can go local, but MDOT does have regulations requiring axle lengths and weight distribution. Their entire job is to look at commercial vehicles and violations and MDOT is willing to help the county. The virtual weigh station on Hwy 51 is pretty accurate according to MDOT. Mr. Swims also reported that the weight station on I-55 will be moving south of DeSoto County.

Supervisor Lee Caldwell stated one of her constituents complained about trucks on Highway 304. Highway 304 has signs about weight limit but it is not monitored. Mr. Swims stated that Highway 304 can withstand 80,000 pounds. Supervisor Caldwell asked for the old signs with the lower weights to be removed. Supervisor Jessie Medlin asked if MDOT can bring portable scales if the Sheriff’s Deputy stops a truck. Mr. Swims said yes they can.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to remove the old weight limit signs from Hwy 304.

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>

b. Weight Limit Revenue

Mrs. Lynchard informed the Board that the Road Department has received \$99,776.90 in overweight fines from the State.

c. Harvest Fine Revenue

- 1) Revenue
- 2) Approval to Modify Disbursement from General Fund to Road Fund

Mrs. Lynchard informed the Board that the County has received \$2,446.94 from the Harvest Fines, and it has been put in the general fund. Mrs. Lynchard asked the Board to approve moving those funds to the Road Department.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve moving the Harvest Fine money received from the general fund to the Road Department fund.

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	<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>

15. MDOT Equipment Resolution for E-911

County Administrator Vanessa Lynchard stated there is a connection hop between MSWIN tower site at Arkabutla and the DeSoto County tower site on Star Landing that is maintained by Mississippi Wireless Communications Commission (WCC). The WCC has advised that some or all of the microwave equipment needed to complete the hop currently belongs to MDOT, and the WCC has requested MDOT to transfer ownership of it to the WCC. In order to justify the transfer of the equipment to the WCC, MDOT has requested that DeSoto adopt a resolution requesting MDOT make the equipment available to the WCC. Mrs. Lynchard stated that E-911 sent a recommendation letter and a resolution that has been reviewed and approved by Board Attorney Tony Nowak.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Board President to sign the resolution requesting MDOT make the microwave equipment needed to complete the hop from Arkabutla to Star Landing available to the WCC.

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 I.15.

16. Board Attorney

a. Contract Administration – Resolution Incorporating Bridgetown Fire District

Board Attorney Tony Nowak stated that this resolution calls for a Fire Grading District that will not require taxes. Mr. Nowak also informed the Board that the Board will serve as the governing authority for the graded fire district. He stated that the process requires a petition, which he presented to the Board, and then a public hearing to determine if there is a need. Mr. Nowak pointed out that the April 4th Board meeting would work perfectly into the timing of this request.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to make the Bridgetown petition to establish a graded fire district a part of the minutes, to hold a public hearing April 4, 2016 at 10 a.m., and to authorize the firm of Smith, Phillips, Mitchell, Scott & Nowak to have published the necessary advertisements to the public.

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 I.16.a.

b. Interlocal Agreement Ambulance Mutual Aid – Hernando & Horn Lake

Mr. Nowak stated that in past years, the County would purchase ambulances and loan them to the cities in exchange for mutual aid. He pointed out that these new agreements state that the County is providing funding as a result of a difference in needs between the cities. Mr. Nowak stated that the

cities of Hernando and Horn Lake will have a \$192,000.00, 8-year agreement, as they are purchasing diesel engine ambulances which have a life expectancy of 8 years.

Board action was taken after I.16.c.

See Exhibit I.16.b.

c. Interlocal Agreement Ambulance Mutual Aid – Olive Branch

Mr. Nowak stated that the City of Olive Branch will have a \$120,000.00, 5-year agreement, as they are purchasing a gasoline engine ambulance with a life expectancy of 5 years.

Mr. Nowak informed the Board that all the cities referenced in I.16.b. & I.16.c. have approved the interlocals. He further noted that the agreements state that new and current ambulances will be titled over to the individual cities and each city will carry its own insurance.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve the interlocal agreements with City of Hernando, City of Horn Lake, and City of Olive Branch and authorize the Board President to sign the interlocal agreements.

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 I.16.c.

County Administrator Vanessa Lynchard asked the Board if they would think about setting back money in the budget each year to go toward the ambulance totals after the 5 & 8 year periods. The Board agreed that would be a good idea.

d. Approval to Apply for Local & Private Legislation for DeSoto Museum

Mr. Nowak reminded the Board that they had secured local & private legislation in 2010 to give the museum up to \$35,000.00 per year. He also reminded the Board that last year they gave to the museum out of Advertising County Resources because that local & private legislation had expired.

Supervisor Bill Russell made the motion and Supervisor Michael Lee seconded the motion to authorize the firm of Smith, Phillips, Mitchell, Scott & Nowak to complete the necessary paperwork to secure local & private legislation for support of the DeSoto Museum.

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 I.16.d.

17. Office of Finance and Accounting – Claims Docket

Chief Financial Officer Andrea Freeze, of the Office of Finance and Accounting, presented the claims docket to the Board. Ms. Freeze read the items on the claims docket individually and the Board discussed these items. Stephanie Hanks, Office Manager, brought monthly invoices for documentation.

Supervisor Mark Gardner asked about the following claims:

Page 16 – South Central Development - \$1500 – The Sheriff said that is for the helicopter hangar rent.

Page 17 & 18 – Memphis Ice Machine – Robert Jarman said that is mostly for parts with the larger amount being a repair that his department could not do. He stated that he has sent some of the men from Facilities Management to school to be able to fix the ice machines. Mr. Jarman said none of the ice machines in the County are rentals.

Page 23 – Video Surveillance - \$1670 – The invoice showed 10 indoor network cameras. Mr. John Mitchell said these are extra cameras to keep in stock to replace any of the 170 in use.

Page 30 – Several charges to Dr. Thompson. The Sheriff said the County pays a contract fee plus individual cases. He said it is cheaper than taking prisoners out to the doctor.

Page 31 – Pearl River Resort – Mrs. Lynchard said Mr. Sanford rotates his staff to go to this conference.

Page 59 – What are the charges for Brynn & Ray – Mr. Laughter stated they are reimbursements for meals from the Solid Waste Conference in Jackson.

Page 61 – Region IV - \$4700 conference for 2016 conference – Mrs. Freeze stated this is part of their grant and they are required to go. The County will be reimbursed this money from the grant and this is for several people to go. Supervisor Gardner asked if they are required to turn in receipts per diem. Mrs. Freeze said they are and they have been supplied with the proper forms.

Page 87 – Is this the last month to pay this – Sheriff Rasco said they have an agreement to use the facility until they have somewhere else to go. Supervisor Gardner said he thought it was unusable. The Sheriff said they have temporary targets set up and still go to the range to certify.

Page 88 – Michael Hatcher – Mr. Jarman stated that they planted trees at the Courthouse. Mrs. Lynchard said that the money for the trees came from MDEQ under an air quality grant.

Supervisor Michael Lee asked about the following claims:

Page 47 – Apple Mac Book - \$3,599.97 – The invoice showed 2 Apple Mac books. Mrs. Freeze stated this was reimbursed by the U.S. Marshal.

Page 53 – Lowe’s – Husqvarna – The invoice showed 2 chain saws and supplies for Search & Rescue.

Page 85 – Supervisor Lee asked if things were looking better with the City of Southaven regarding garbage. Supervisor Lee Caldwell said Southaven has not had a chance to correct yet, but the County is spending more for the rubbish pit than Waste Connections. Road Manager Andy Swims stated that the Road Department is doing a lot of roadside collections. He said his drivers are noting that some citizens are putting things out weekly instead of taking their own things to the rubbish pit.

Sheriff Bill Rasco asked about the following claim:

Page 51 – Select Administrative Services used to come tell us how much money we save by using them. The Sheriff said he would like to talk with the regarding medical fees. Mrs. Lynchard said she would set that meeting up.

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

The motion passed by a vote as follows:

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

18. Road Department

a. MPO, Approval to Add Engineering to 2016 Projects for Byhalia Road – Craft to Highway 305 Resurface

Tracy Huffman of Waggoner Engineering stated that at the last MPO meeting there was some discussion to move up the activation of some projects. He said once the Commerce Street Extension was activated, the Board can move forward with the project.

Supervisor Lee Caldwell informed the Board they have already voted to approve the project; but by moving up activation dates, projects can get done and other projects can move up on the list.

Mr. Huffman said that Commerce will be approximately \$700,000.00 local share.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to move up the activation of the Commerce St. Extension, Byhalia Road resurfacing, and Red Banks Road resurfacing.

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 Gardner asked about the size of the Commerce Street extended road. Mr. Huffman stated they will be doing a 5-lane bed with 2 lanes complete. He said that Mr. Austin Cardosi will bring the activation packets back to the Board when approved. Mr. Huffman stated there will be no right-of-way acquisitions on the resurfacing, but there will be on Commerce Street.

See Exhibit I.18.a.&b.

b. MPO, Approval to Move Forward with Engineering for Red Banks Road Resurfacing

This item was included in the motion and vote on Item I.18.a.

See Exhibit I.18.a.&b.

c. Update on County Cemeteries

This item was removed from the agenda and put back on for discussion. Road Manager Andy Swims stated that in 1999 Kenny Gunn came to the Board and the Board approved the Road Department to do maintenance within 150 feet from the center of the county road, to include county cemeteries and private non-profit cemeteries. Mr. Nowak stated that driveways may also be included for certain non-profits, and he would look up the statute. Mr. Nowak recommends each request should come before the Board for approval.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to look at maintenance on cemeteries on a case-by-case basis upon written request and rescind the old Board order.

The motion passed by a vote as follows:

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

See Exhibit I.18.c.

d. Finding of Fact – 5985 College Road, Olive Branch

Mr. Swims stated that there were issues at 5985 College Road in Olive Branch with a very steep grade, road flooding, and a culvert collapsing that affect the health and safety of the public as well as the integrity of a County road.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to

authorize the Road Department to replace the culvert at 5985 College Road in Olive Branch based on the fact that road flooding affects the health and safety of the public as well as the integrity of the County Road.

The motion passed by a vote as follows:

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

See Exhibit I.18.d.

e. Traffic Counters

Mr. Swims stated that he has been asked to do a lot of traffic counting lately and to that they must have a total of 8 functioning counters. He said purchasing 3 more counters will give sufficient back-ups to be able to do the traffic counts as needed. Mr. Swims also stated they will get credit for trading in some non-working old counters.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize the purchase of three traffic counters.

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 I.18.e.

19. Road Department/Planning – Delta Crest Subdivision & Kelly Road Update

Supervisor Lee Caldwell stated that Kelly Road has been closed per MDEQ’s request. MDEQ wrote a letter stating the Lakeowners Association should come up with a solution to repair the levy. Supervisor Caldwell said she has found that the association was formed years ago, and has not been kept up with and new people have moved in and knew nothing of an association. Some of the lake property owners do not live in this area. Supervisor Caldwell stated that the Planning Department has requested a meeting with the homeowners for Thursday, March 10th. Supervisor Caldwell said the dam is not counted as a high hazard dam, so MDEQ will not assess a fine. She also said the people and school buses that are being rerouted have to travel a very steep and winding road that is significantly longer than Kelly Road to be able to leave their subdivision. Supervisor Caldwell said one alternative is to ask the State to pump the lake down and see what it will take to fix the dam. Mr. Swims stated a basic siphon could be set up, but this is a spring fed lake and the spillway for Woodland Lake also feeds into it, so he does not know how effective that method would be.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to allow the firm of Smith, Phillips, Mitchell, Scott & Nowak to investigate opportunities to enter into a MOU with MDEQ and the Homeowners Association to siphon the lake, and other available options to be able to open the road back up.

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 YES

See Exhibit I.19.

20. Star Landing Road Project Engineering Services Contract

Mr. Tracy Huffman stated that the environmental study part of the project is complete, and the next step is the preliminary engineer design for the 6-mile section of Star Landing between Getwell and Tulane. Mr. Huffman stated that he needs Board approval of the engineering contract to move forward with work. Supervisor Medlin asked if the Board needed to authorize Mr. Nowak’s firm to start on right-of-way acquisition. Mr. Huffman stated that was not needed at this point.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve the engineering contract as presented by Mr. Huffman and authorize the Board President to sign.

The motion passed by a vote as follows:

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

See Exhibit I.20.

21. Nail Road from Hacks Cross Road to Center Hill Road – Engineering

Supervisor Jessie Medlin stated that since the Board put money of \$100,000.00 in the budget for preliminary engineering, he would like to get the preliminary alignment set for Nail Road from Hacks Cross Road to Center Hill Road. He stated that this would be a good time to do this while the land remains undeveloped.

Supervisor Lee Caldwell agreed that this would be a good thing to do since Nail Road is planned to expand across the County. She asked Mr. Tracy Huffman to be sure this project was added to the MPO.

Mr. Huffman said, if the budget is \$100,000.00 a preliminary alignment could be set; and, based on the aerial, there would not be a lot of surveying at this point. He said the MPO called for a 1 mile stretch, but the County could go on and look at the full 3 miles from a preliminary engineering perspective using existing and available information.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to hire Waggoner Engineering to do the preliminary alignment for Nail Road from Hacks Cross Road to Center Hill Road.

The motion passed by a vote as follows:

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

See Exhibit I.21.

22. Insurance Claim – Tornado Damage to Shooting Range

Sheriff Bill Rasco informed the Board that he has spoken with Mr. Thomas and gotten a release from insurance proceeds and a lease termination agreement. He stated that there was a gentlemen’s agreement that the Sheriff’s Department would use the range and carry the insurance. Sheriff Rasco

said every structure that has been built on the range was built by a previous tenant on a government contract that the man walked away from. Mr. Thomas has released all insurance claims and agreed to the the termination of the lease. Sheriff Rasco stated that Mr. Thomas is happy for the Sheriff's Department to use the range until they find another place to train officers.

Rex Haynes of SouthGroup Insurance said Travelers Insurance has been generous, so far. They had to put Mr. Thomas' name on the check unless they have a signed release. With Mr. Thomas' release, Travelers will write the check to the County.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Board President to sign the lease termination that states the lease will continue on a monthly basis until written intent to vacate by the Sheriff and acknowledge the release of insurance claims.

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>

Mr. Nowak will send the release to the Administration Office.

Sheriff Rasco also informed the Board that Mr. Thomas has a large horse arena that he is allowing a team of about 31 Mennonites to use while they are there helping people in Marshall County to rebuild their homes. He stated these people are donating their labor and it is very notable.

23. Holiday Notice

County Administrator Vanessa Lynchard stated that we have received the Governor's proclamation of the Confederate Memorial Day holiday coming up in April. In years past, this office has polled employees and the majority voted to have Good Friday instead. Good Friday will be March 25th this year, and Mrs. Lynchard wanted to be able to give employees as much notice as possible.

Supervisor Michael Lee made the motion and Supervisor Bill Russell seconded the motion to set Good Friday as a holiday on March 25, 2016.

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 I.23.

24. Approval to Travel NACo Annual Conference, Los Angeles – July 22-25, 2016

a. Approval to Travel to MAS Convention Gulfport – June 13-16

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to authorize travel for the Board and any staff members that needed to attend the conferences listed above.

The motion passed by a vote as follows:

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

See Exhibit I.24.

J. PLANNING COMMISSION

Planning Director Bennie Hopkins and Deputy Director Austin Cardosi presented the Planning Commission Agenda.

1. CONSENT

a. Minor Lot

- i. Robertson Minor Lot (7042) - Application is for approval of Final Subdivision of one (1) lot of 6.13 acre(s), property identified as Parcel #3-07-9-31-00-0-00028-00. Subject property is located on the west side of Belmont Road and south of Slocum Road in Section 31, Township 3, Range 7 and is zoned Agricultural (A) (District 5) Applicant: Maurice Robertson**

Mr. Hopkins presented the Consent Agenda.

Supervisor Lee made the motion and Supervisor Caldwell seconded the motion to approve the Consent Agenda.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

2. OTHER

a. Scriveners Error – Robinson Crossing, Phase II, Area 6

Mr. Hopkins presented the correction of a Scrivener’s Error on the plat of Robinson Crossing, Phase II, Area 6, Section 11, Township 2, Range 7 in Book 104 pages 18-19. The correction would have changed the street named Robinson Crossing Cove on the plat to Robinson Loop East.

Supervisor Gardner made the motion and Supervisor Caldwell seconded the motion to approve a Scrivener’s Error on the plat of Robinson Crossing, Phase II, Area 6, Section 11, Township 2, Range 7 in Book 104 pages 18-19. The correction would change the street named Robinson Crossing Cove on the plat to Robinson Loop East. (Please confirm with Bennie what the correction was. I thought it included changing some of the indexing instructions i.e. the plat book pages and section/township reference)

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

See Exhibit J

K. EXECUTIVE SESSION

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

Addendum:

Supervisor Lee Caldwell stated that the Committee looking into the Town of Walls is supposed to meet soon, but they do not have all the information together regarding expenditures. She stated that they need to know how much is going into the Town of Walls, where it all goes and what they pay for. Mrs. Lynchard said she could get that information together.

Supervisor Mark Gardner stated at the last meeting he mentioned to the Board about talking to Trip Wells about being kind of a facilities liaison. Supervisor Gardner said he has met with Mr. Wells and talked with him about some problems. Mr. Wells said he will save the County more money than he will cost. Supervisor Gardner said he showed Mr. Wells the Urban Arch drawing and Mr. Wells saw some things right away that could save the County money.

Supervisor Medlin suggested Supervisor Gardner have Mr. Wells come meet with Mrs. Lynchard. Supervisor Gardner said he would start working with him on an agreement and let Mr. Nowak look at it. Mrs. Lynchard said this might be very good timing, as an architect was coming to the March 21st Board meeting to show the Board some plans.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to recess the Board meeting until Thursday, March 10, 2016 at 1:00 p.m.

The motion passed by a vote as follows:

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

THIS the 7th day of March, 2016, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Jessie Medlin, President
DeSoto County Board of Supervisors