

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

DISTRICT FOUR LEE CALDWELL, PRESIDING

March 17, 2014

A. CALL TO ORDER

The March 17, 2014 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Lee Caldwell, Board President.

Sheriff Bill Rasco of the DeSoto County Sheriff’s Department was present and opened the DeSoto County Board of Supervisors meeting in a regular session to hear all business before the Board of Supervisors. The following officials were present:

Supervisor Jessie Medlin	District 1
Supervisor Mark Gardner	District 2
Supervisor Bill Russell	District 3
Supervisor Lee Caldwell	District 4
Supervisor Harvey Lee	District 5
Sheriff Bill Rasco	Sheriff
W. E. Sluggo Davis	Chancery Clerk
Vanessa Lynchard	County Administrator
Tony Nowak	Board Attorney

B. INVOCATION

Supervisor Harvey Lee presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. CITIZENS REMARKS & PRESENTATIONS

1. Healing Hearts – Proclamation for Child Abuse Awareness Month

Pastor Terry Wallace appeared before the Board of Supervisors to talk about Child Abuse Awareness Month. Mr. Wallace said Healing Hearts gives a voice to the BRAVEST children in DeSoto County.

Mr. Wallace talked about the Children’s Advocacy Center and said it is a child-focused facility based program in which representatives from many disciplines work together to protect abused children. Mr. Wallace said they conduct forensic interviews, counseling, medical exams, community education (Darkness to Light. Stewards of Children), court preparation, provide advocacy for child victims. The MDT approach is used to ensure that the child is protected and the offender is held accountable.

Mr. Wallace described the Multi-Disciplinary Team (MDT) as follows:

The purpose of the MDT is to use a team approach to the investigation and prosecution of all child abuse cases, and to function in a manner that causes the least possible trauma to the child.

Investigations involve:

- DHS
- Law Enforcement
- Child Advocacy Center • District Attorney's Office
- Medical Services
- Mental Health

Mr. Wallace said they all work together with the common cause of helping the kids. He said the purpose of the team is to get as many people and groups involved as possible, to protect our blessings, our children.

Mr. Wallace said the need is great in DeSoto County. He presented the following information including statistics supporting the need in DeSoto County:

- Closest child advocacy centers are in Tupelo, Oxford and Memphis
- 1 in 4 girls and 1 in 6 boys will be a victim of sexual abuse before the age of 18 and only 1 out of 10 victims will tell.
- There are approximately 100 reports of abuse and neglect made every month to the Department of Children's Services
- There were 425 substantiated child abuse and neglect cases in 2013
- In 10 months in 2013 the MDT has reviewed 228 cases and the CAC has conducted 171 interviews
- DeSoto County is #3 in highest DHS reports for the state of Mississippi.

In addition, Mr. Wallace said in January, 2014, they conducted 45 interviews and reviewed 72 cases, and there were 2 abusive deaths caused by shaken baby cases.

Mr. Wallace said he is fortunate to be part of the Board and he is really learning a lot. Mr. Wallace said they need support to help these children. He thanked the Board of Supervisors for their time and support.

Supervisor Lee Caldwell thanked Mr. Wallace and said there are two different grant opportunities that the county could assist with for this much needed program.

Supervisor Caldwell and read the Proclamation for Designating April as Child Abuse Prevention Month as follows:

PROCLAMATION FOR DESIGNATING APRIL AS CHILD ABUSE PREVENTION MONTH

WHEREAS, many children in Mississippi are reported as abused or neglected every year; and

WHEREAS, Child abuse prevention is a community responsibility and finding solutions depends on involvement among all people; and

WHEREAS, Communities who make every effort to promote programs that benefit children and their families have positive impacts on the community;

WHEREAS, Effective child abuse prevention programs succeed because of partnerships among agencies, religious organizations, law enforcement agencies, and the business community; and

WHEREAS, everyone in the community should become more aware of child abuse prevention and consider helping parents raise their children in a safe, nurturing environment;

NOW, THEREFORE, the DeSoto County Board of Supervisors do hereby proclaim the month of April 2014 to be Child Abuse Prevention Month in DeSoto County, and urge all citizens to work together to help reduce child abuse and neglect significantly in years to come.

Dated this 17th day of March, 2014

The DeSoto County Board of Supervisors

Lee Caldwell, President

Mr. Bryce Haugsdahl, President of United Way Greater Memphis also appeared before the Board to discuss Child Abuse Awareness. Mr. Haugsdahl commended the Board of Supervisors for their interest in child abuse. He said that they cover eight counties. Mr. Haugsdahl said they align

organizations and businesses to work collectively to address these important issues. He said they make constituent visits, provide community communication, and work to identify the priorities in the various counties.

Mr. Haugsdahl thanked the Board of Supervisors for working with the Child Advocacy Center.

See Exhibit D.1

Later in the meeting, Supervisor Bill Russell said he is not sure the Board is handling this issue in the best way for everyone. He said the Board does not support them financially in any way and they provide a needed service to the county.

Sheriff Bill Rasco said they try to use local services whenever possible but take kids to Oxford if necessary.

Supervisor Mark Gardner said he is concerned about how the money is raised to fund this organization. Supervisor Lee Caldwell said she would like to see real numbers to see what they are paying for. She said she overheard that Healing Hearts oversees DHS.

County Administrator Vanessa Lynchard said she would like to know who gave Healing Hearts authority to oversee DHS. She said that she checked with the Secretary of State and there are ten times more registered non-profits out of the state than in the state.

Supervisor Mark Gardner said the DeSoto Sunrise Home and the Emergency Shelter started with very little money. Supervisor Gardner said he wondered if there is a business plan.

Supervisor Caldwell reiterated that she wants to see what they are paying for.

Ms. Lynchard said it does benefit the D.A.'s office as they provide forensic investigation.

Supervisor Bill Russell said that Region IV looked into this and could not provide the service because it would cost too much money. He said that we need to fund the Sheriff's Department to do the investigations. Sheriff Rasco said he had two child officers, but they have both left.

Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to appoint Supervisor Lee Caldwell and Supervisor Bill Russell to a committee to check into child advocacy issues and care 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 Harvey Lee, Fifth District	<u>YES</u>

2. Recognition of Employee Training

County Administrator Vanessa Lynchard said last year the Board requested that we start investing in training for the county employees. The employees are a great asset to the county. Ms. Lynchard said that Director of Human Resources Janna Rogers lead us to find good training classes and good topics. Ms. Lynchard said that Ms. Rogers did an excellent job of putting the classes together. The feedback was very positive.

Ms. Rogers said the classes were on good management and good communication. The speakers were internal as well as external. Ms. Rogers said some of the classes were for first time managers and existing managers, customer service, giving effective performance reviews and diversity in the workplace. Ms. Rogers said she really appreciated the Board investing in its employees.

Ms. Lynchard said that Human Resources really stepped up and made this run very efficiently.

Supervisor Lee Caldwell said the Board is proud of its employees and the services they provide for our citizens.

Supervisor Caldwell handed out the following training certificates to county employees who successfully completed 9 weeks of the Management Training Program 2014:

D.W. Gilbert	Pat McLeod	Monica Mock	Frank Rainey
Pat Sanford	Shawn Houston	Ray Laughter	Ted Garrod
Matt Hanks	Tony Martin	John Mitchell	Chris Olson
Bobby Storey	Tom Arnold		

Supervisor Caldwell handed out the following training certificates to county employees training who successfully completed the Customer Service Training Program 2014:

Brynn McCarver	Craig Howell	David Wright	Carolyn Till
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See Exhibit D.2

3. Addition to the Agenda: Concerns previously discussed in December 16, 2013 Board Meeting - Letter presented by Mr. James Weifenbach

Mr. James Weifenbach of DeSoto County appeared before the Board of Supervisors to discuss a letter that he presented to the Board on December 16, 2013. He said the Board has no regard for the law. Mr. Weifenbach said he has received no response from the Board since he last appeared and said he is submitting a written complaint to the Sheriff and State agencies. Mr. Weifenbach said this Board can't just do what they want too and write their own laws. He said there are certain guidelines that the Board has to follow for appraising property and, if they don't, they are hurting the citizens and property owners. Mr. Weifenbach presented his letter to Sheriff Bill Rasco and asked him to serve it to the Board members.

Supervisor Caldwell thanked Mr. Weifenbach for his comments and asked if anyone had questions for him. No one had questions for Mr. Weifenbach.

Later in the meeting Supervisor Bill Russell requested that the letter of complaint from Mr. James D. Weifenbach, regarding the Board of Supervisors, be made part of the minutes.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to establish as part of the formal record and enter into the Board minutes the letter of complaint presented and dated March 17, 2014 by Mr. James D. Weifenbach as follows:

March 17, 2014

To:Mississippi State Auditor,
Mississippi Attorney General,
Mississippi Ethics Commission,
Sheriff of Desoto, County Mississippi

Complaint

1)The Desoto County Board of Supervisors violating the civil rights of 2 construction companies and not reaching the required number of votes for passage of a bid for the construction of the county jail. The Board ejected the 2 companies from the public bidding competition without showing they had done anything unlawful or unethical to be denied participation and to be recognized as a legitimate bidder. Public bidding is open for all people to participate in without any form of discrimination, regardless of the criteria laid.

From my understanding of the Constitution, all items must reach a 2/3 majority vote from the legislative branch before they can be made law/ordinance regardless if it's on the federal, state or local level. When a majority vote is reached that falls short of the 2/3 vote requirement, the subject can be sent to the executive that holds the veto power to either approve and sign into law/ordinance, or objected to by veto. The executive can only be granted a veto power by the voters in an election, if the executive has been appointed to the position by the legislative power. All things on the final vote must reach a 2/3 majority before becoming law/ordinance.

The board approved and passed the jail bid with a 3/5 vote which fall short of the 2/3 vote requirement, violating the civil rights of 2 companies, which were ejected from the bidding competition. These 2 companies should be entitled to a fair compensation for the violation of their civil rights to participate and be recognized in a public bidding, equal to the equivalence of a fair profit margin they would have earned if awarded the contract. I would estimate this at 5 to 7 percent of their initial bid or 1.5 million dollars each as fair compensation.

2) The Board imposing a duty on the cities to reimbursed the cost of the use of the county jail, which I do not disagree nor object to. When the board imposes such duty, it is to reimburse the budget that took such a cost burden, which would be the Sheriff department's budget. If the board is not rendering the full amount collected to the Sheriff from the imposed duty, and taking into its own budget as additional revenue, then the imposed duty turns into a direct tax, which requires voters' consent before it can be imposed. It is unclear whether or not the Sheriff is receiving and showing this duty aside from the allotted funding as reimbursement, and not confusing it as part of the allotted funding he receives. The Sheriff has all entitlements to the reimbursement and to any unpaid amounts from this duty. If the board doesn't render over to, or the Sheriff turns down the reimbursement, then they would have to return it to the city it where it originated and abolish the duty that was imposed upon the cities.

3) Tax Assessor may be manipulating the real property value, by unlawfully regulating the value within the allowed thresholds, instead of holding a single real value. From my understanding, unless changes have been made to a property or the true value had crossed over the allowed threshold, the Assessor cannot change the real value of any property.

When the housing market plummeted in approximately 2006-2007, it still puzzles me why the overall property tax revenue base didn't take similar or some kind of plummet along with it, when the market recognized a sufficient drop in true value, or readjustment to the real value in 2010 when the assessor was required to.

When I addressed these concerns at a Board meeting on December 16, 2013, the Board showed no regard for this concern. When reviewing the minutes of this meeting, I learned that most of my words spoken at the meeting were not recorded as a part of public record. What was recorded states that I said the Assessor should set a threshold, instead of what I actually did say, that the Assessor has a threshold he must hold a single real value within, demonstrating with a chart/graph. This isn't only altering but obstructing public records, which were voted and approved by the Board as true and accurate. It is in my opinion, that the Board doesn't understand that when recording for public record, records must show the entire conversation spoken as would be in a court proceeding.

4) Approx. 2011, Tax Collector not honoring the state seal on a vehicle title when a mistake was made and was reported before the statute of limitations had expired. He should have contacted the state and had vehicle registration suspended until the title was returned and a new title issued with the correct information. If the inaccurate title is not retrievable, then he is liable for the damages caused by him or his office.

5) It is unclear how health insurance is being given to county employees, as part of income or as a benefit. If employees are receiving health insurance as or supplement to their income, then an ad valorem must be rated to show the taxable income to be tax. If the employees are receiving health insurance as a benefit, then it must show they are paying for this benefit, to show ownership and entitlement to it. It is my opinion and understanding, no government, with public funds, can grant itself a privilege that they aren't also extending to the entire jurisdiction of their governing/citizens. Either employees pay something toward their health insurance premium or it has to be tax as earned income.

6) Improper closing of government offices without the use of the emergency clause during holidays. When the Governor declares a holiday or extends a holiday, he must declare it for the entire state, not just for state/local governments, before any government can take part in it, to justify the closing of public offices. If governments wish to show compassion to relieve employees from their public duties, governments can do that without the declaration, but offices must continue to stay open to serve those who wish to use them, unless the emergency clause prevents them from opening/operating to preserve public safety. This concern needs to be clarified to both the state and local governments to what qualifies as a state of emergency, to justify closing of public offices. Again, no government can grant itself a privilege that it doesn't also make to their entire jurisdiction/citizens.

7) The concerns in this complaint, I don't lay total blame on the governing authorities mentioned. However, I do lay partial blame on poor legal representation they receive. I question whether or not their legal representative, the county and/or Board attorney in DeSoto County has the proper competence level to represent a government or to remain on the state bar to practice law. There is a difference between a person who studies to practice the law, and a person who has a distinguished character to and for the law. A legal representative to any government should have the ability to do both.

Sincerely,
James D. Weifenbach

The motion passed by a vote as follows:

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

See Exhibit D.3

4. Vietnam Traveling Wall June 10 – June 16

Mr. R. G. and Diane Moore of DeSoto County appeared before the Board of Supervisors about the Vietnam Traveling Wall which is coming to the Landers Center in June, 2014. Mr. Moore said the Wall will travel from Arkansas to the Landers Center and the opening ceremony will be Wednesday, June 11, at 7:00 p.m. The closing ceremony will be Monday, June 16 at 9:00 a.m.

Mr. Moore said the Board of Supervisors gave a lot of support last year when the Vietnam Wall was at the Landers Center. He said last year the Board helped with bleachers and fuel as well as volunteers. Mr. Moore said that Judge Percy Lynchard spoke last year and has volunteered to speak again this year. Judge Lynchard will speak on June 11 at 6:00 p.m. He did a great job last year and they are so glad to have him speak again this year. Mr. Moore said that County Administrator Vanessa Lynchard did a great job last year helping with the Wall and they would like to have her help again this year.

Mr. Moore said also the Flame of Freedom will be at Harley Davidson on May 13th. It will leave some time that afternoon going to the east coast. Mr. Davidson said there will be a luncheon event. Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to allow Vanessa Lynchard to assist with the Vietnam Wall and to work through Advertising County Resources to provide what is needed.

The motion passed by a vote as follows:

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

See Exhibit D.4

E. APPROVAL AGENDA: ADDITIONS AND DELETIONS

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

1. Supervisor Bill Russell requested adding the following items:

a. Gas Service in DeSoto County

Supervisor Russell said he called ATMOS regarding adding gas lines in DeSoto County. He said the Public Service Commissioner regulates prices. Supervisor Russell the Public Service Commissioner Mr. Brandon Presley sent a letter to ATMOS. ATMOS estimated it would cost each homeowner \$1,800.00 for the line. He said there may be a way that ATMOS would charge the homeowner and it could be collected on the bill.

Supervisor Russell said he would like to have a meeting to see how much interest is in the area. He asked if it is legal for the county to pay postage for this. He said the area is Church Road from Poplar Corner to Honeysuckle. There are approximately 65 homes.

Supervisor Lee Caldwell said there are 12 homes in her subdivision and they have natural gas.

Supervisor Russell said he would like to talk to Mr. Presley; there may be funding to help ATMOS. He said he would like for the Board Attorney to check and make sure it is okay to send letters to residents and the county pay postage.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to approve sending letters to constituents to conduct a town hall meeting and the county paying the postage if the Board Attorney determines it is legal; and to involve ATMOS in the meetings regarding installing gas lines in homes.

The motion passed by a vote as follows:

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

b. Supervisor Bill Russell requested adding a proclamation of appreciation for the Horn Lake and Olive Branch Girls Basketball Team

Supervisor Russell said Horn Lake and Olive Branch Girls Basketball Teams played each other in state finals. He requested a proclamation of appreciation for both teams and extended an invitation for them to come to the next Board Meeting.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve a proclamation of appreciation for the Horn Lake and Olive Branch Girls Basketball Teams and extended an invitation for them to come to the next Board Meeting.

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

2. County Administrator Vanessa Lynchard requested adding the following:

a. Chancery Clerk Allowance

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve a Chancery Clerk Allowance in the amount of \$1,766.66 as fully described in exhibit E.2.a.

The motion passed by a vote as follows:

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

See Exhibit E.2.a

b. Records Retention Workshop and Managing Electronic Records Update

Ms. Lynchard said there is a free workshop being held in Grenada regarding the management of electronic records on April 8, 2014 from 1:30 to 4:30. The same workshop is also being held in Okolona on May 29, 2014 from 1:30 to 4:30. Ms. Lynchard said the records retention schedule is different for every type of record in the various departments.

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to approve travel for all departments to attend the workshop in Grenada on April 8, 2014 from 1:30 p.m. to 4:00 p.m. for “Maintaining a Healthy Records Program and Managing Electronic Data.

The motion passed by a vote as follows:

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

See Exhibit E.2.b

c. Economic Development

County Financial Advisor Demery Grubbs appeared before the Board of Supervisors to discuss options for promoting economic development. Mr. Grubbs said Board Attorney Tony Nowak has gathered the bulk of the information being presented for the purpose of discussing economic development in DeSoto County. Mr. Grubbs said that the county is blessed to have the DeSoto Economic Council working on their behalf.

Mr. Grubbs said there is a lot of industry in DeSoto County located on the central to eastern side of the county. He said that Entergy has property on the western side of the county and it could be explored and marketed. Mr. Grubbs said that Entergy wants to work with the county and use that property as an industrial site. The county is a huge distribution district and Entergy is interested in working with the county to see what can be done.

Mr. Grubbs said there was a good bit of discussion last year about where the County is now, and where it wishes to go in relation to economic development strategies. He said we don’t want to create too many committees. Mr. Grubbs said do we need to create an economic development program to help make things work better; but the County doesn’t need to create additional entities which have more control than the Board of Supervisors desires. He said that structures exist that ultimately places final decisions with this Board. Mr. Grubbs is prepared to discuss how to approach

this matter.

President and CEO of the DeSoto Economic and Development Council Jim Flanagan joined the meeting by phone.

Mr. Flanagan said it is common for about three quarters of the counties in the state to have an economic development district. He said there is a way to structure the economic development programs so that it will provide flexibility with the authority remaining with the Board.

Mr. Grubbs said he and Mr. Nowak have been talking by phone about this matter.

Mr. Nowak said he researched the possibilities and presented the options to the Board to review as detailed in Exhibit E.2.c.

Mr. Nowak briefly discussed the options as follows:

Option 1: Create an economic development district pursuant to Miss. Code 19-5-99.

Mr. Nowak said this was created many years ago and the district is autonomous once it is created by the Board.

Option 2: Economic Development District Contracting with Private Foundation.

Mr. Nowak said this option seems to have increased flexibility and it appears many districts now contract with private foundations as the foundations have more flexibility than the districts. He said this option still uses a district that is autonomous.

Option 3: Foundation Created by Local and Private Legislation (Tate County-example)

Mr. Nowak said Tate County created a private foundation through local and private legislation. The foundation is not a public entity but it is incorporated pursuant to legislation as a private entity. Various pros and cons of this arrangement were discussed.

Option 4: Provide Funds to DeSoto Economic Council by Local and Private Legislation (Tunica County-example)

Mr. Nowak said he, Mr. Grubbs and Mr. Flanagan mostly agree that this would be the best option for DeSoto County. This is similar to option two but without the need for creating a district. This option gives the Board the best flexibility. Also there is no risk of potential conflicts of interest. If the Board does not approve of a project it simply does not approve the funding. If the Board approves contributing to a project then it would enter into a contract with the DeSoto County Economic Council and the business entity.

Supervisor Jessie Medlin asked how many are on the Tunica County Economic Development Foundation. Mr. Nowak said the Tunica county Board has three people. He said they are recommending the Economic Council serve the same essential role the Tunica Foundation.

Supervisor Bill Russell asked if the DeSoto County Economic Development Foundation would still have autonomy. Mr. Flanagan said it would be no different than how the Foundation currently handles projects. But this would allow the county to contribute funds to projects. Mr. Flanagan said they would manage the projects and it would be brought to the county; the county would review and decide the extent it would contribute to the project development. They would market and structure deals and the Board would make the final decisions whether or not to participate.

Supervisor Medlin said he was thinking there would be about 15 people like on the Economic Council. He asked if the Board would include the entire Economic Council. Mr. Flanagan said there are 30 members on the Economic Council. Supervisor Medlin said if it is legal, he would feel more comfortable if the Economic Council would set up an advisory committee very similar to the Tax Advisory Board.

Mr. Flanagan said it would be no different than the way the Economic Council now manage projects. It would provide a vehicle to allow the Economic Council to manage the projects. As an organization, he can report and bring information to the Board. He said that funding is authorized by the county and the city.

Supervisor Medlin asked who would pay taxes. Mr. Nowak said this is a good option because of

flexibility. If it is county-owned the property, there are no taxes being paid but the County could require a lease that provides similar revenues. If the Economic Council owns the property then there could be a lease agreement in place with the Economic Council.

Mr. Grubbs said with a lease, there can be different pay back structures. This option gives the Board freedom to say yes or no. The other options would not allow the Board that freedom.

Supervisor Russell asked if option 4 gives the Board a vehicle to have the land certified when you get a client. Mr. Flanagan said absolutely; certification is critical in the event we need to act quickly on a project so it will keep the county in the game. There would be a county-wide mechanism for certification to allow the Economic Council to move immediately.

Mr. Nowak said this is where flexibility comes in with option 4. He said that funds could be put into an account which would enable them to move forward. He said the local and private would give the Board authority to act on something but does not require action. The local and private would be in effect through 2015.

Mr. Grubbs said there are no agreements. He said option 4 links all the players together and allows moving forward on the property certification. Mr. Flanagan said the ability to move quickly will keep you in the game.

Supervisor Medlin asked if it is county wide. Mr. Nowak said yes, the bill authorizes you to give money to the Economic Council.

Mr. Flanagan said requests will be handled on a case by case basis; and a compelling case will have to be made. He said that certification could be for a specific site. He said it could be similar to Olive Branch and we would want to move quickly and not have our hands tied. Mr. Flanagan said there are major opportunities out there right now.

Supervisor Russell said there is industry coming on the west side. He suggested certifying a portion or all of the property. Supervisor Medlin said he would like to certify all of the property.

Supervisor Russell confirmed that the Board is giving themselves authority to talk about it.

The Board and Mr. Grubbs discussed possibilities of other sites popping up while a project was in process. He said this would solidify participants, the state and county.

Mr. Nowak said this puts the control factor back to the Board. He said the Board could approve funding with a not to exceed amount but Board has to approve the amount as well. For example, there could be a cap of not more than \$25 million but each request must still come to the Board for approval. The Board discussed not being caught at a point where they could not get a certification immediately.

Chancery Clerk Sluggo Davis reminded the Board that the Legislature leaves session two weeks from March 18th. The Board discussed moving on a not to exceed amount of \$25 million.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve authorizing Board Attorney Nowak to work with the Legislature and ask for special legislation for providing funds to the DeSoto Economic Council by local and private legislation authorizing the contribution of an amount not to exceed \$25 million, or in-kind equivalent for designated projects with all decisions receiving approval from the DeSoto County Board of Supervisors.

The motion passed by a vote as follows:

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

See Exhibit E.2.c

3. Board Attorney Tony Nowak requested

a. Removing item number G.3.b Seek Attorney General’s Opinion for Holly Springs Utility

Mr. Nowak said they may have worked out a solution.

b. Possible executive session discussion under litigation.

This item was later determined to qualify for executive session.

4. Supervisor Lee Caldwell requested adding an update on the Washington trip.

Supervisor Lee Caldwell said the meeting with NACO was very informative. She said they got a lot of information about how the FCC is set up. Supervisor Caldwell said they found the proper contacts is in Mississippi. She said there were two broadband meetings and they met with various people.

Supervisor Mark Gardner said he attended two broadband meetings. He said the security breach with Target was discussed. He said that Target has an ultra-secure system but it is monitored by the same people who monitor the water, HVAC and alarm system.

Supervisor Caldwell said the second part of the week was with mayors and senators.

Supervisor Gardner said he met with the Federal Highway Administration and they said they understood our needs regarding roads. Supervisor Gardner said he explained how bad the issues are on Holly Springs Road, including the permanent gates that we installed because the road has to be closed down so often. He said they also talked about widening Starlanding Road.

Supervisor Gardner said he was glad that everyone was unified in Washington. He said they discussed the new mall coming in and the effect it would have on Church Road, Hwy 55 and the Landers Center. All of the cities and the county were represented. He said it is better when everyone jointly represents the items and it helps get them pushed through.

Supervisor Medlin asked how much had been spent on engineering on Holly Springs Road. Supervisor Gardner said about \$1 million for engineering, environmental and surveying.

Supervisor Jessie Medlin said he would like to see roads built or fixed that will not be under water.

Assistant County Engineer Scott Young said when we use Federal money, roads have to be raised.

5. Chief Financial Officer Tom Arnold requested adding a late bill for the county procurement card as follows:

January 2014 Procurement Card Log

Date Out	Time Out	Time In	Vendor	Department	Employee	Description of Purchase	TOTAL RECEIPT	Issues, if any
1/22/2014	15:00	15:00	GoDaddy	IT	John Mitchell	1 year renewal for Standard UCC SLL and domain desotoms.com	\$ 177.41	None

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the January 2014 procurement card log and to authorize paying the bill.

The motion passed by a vote as follows:

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

Supervisor Harvey Lee, Fifth District YES

See Exhibit E.5

6. Road Manager Andy Swims requesting adding the following:

a. 2014 Proposed Hot Mix Asphalt & Slurry Seal List

Supervisor Harvey Lee made the motion and Supervisor Bill Russell seconded the motion to approve the 2014 Proposed Hot Mix Asphalt & Slurry Seal List as fully detailed in Exhibit E.6.a.; and to authorize advertising for bids.

The motion passed by a vote as follows:

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

See Exhibit E.6.a

b. Possible executive session discussion under personnel

This item was later determined to qualify for executive session.

2. Sheriff Bill Rasco requested adding a possible executive session discussion under personnel.

This item was later determined to qualify for executive session.

3. County Administrator Vanessa Lynchard requested adding a possible executive session discussion under litigation.

This item was later determined to qualify for executive session.

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

The motion passed by a vote as follows:

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

F. CONSENT AGENDA

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

1. Office of Finance & Accounting

a. Budget Amendments

b. Request for Transfer of Sheriff Seized Funds

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

					Date of
--	--	--	--	--	---------

Case #	Defendant	Date Seized	Receipt #	Amount	Forfeiture
2014-01203	Charles Glover II	1/9/14	28687	\$ 440.00	2/14/14
2014-01523	Alberto Palafox	1/12/14	28693	\$ 205.00	2/14/14
2013-50241	Sesely Jefferson	11/5/13	28442	\$ 150.51	2/25/14
2014-02181	Marco Anderson	1/16/14	28721	\$2,109.00	2/26/14
2014-03517	Kelsey Brown	1/26/14	28738	\$ 274.00	3/5/14
2014-03517	Roosevelt Tyson	1/26/14	28738	\$ 201.00	3/5/14
				\$3,379.51	

Transfer from Sheriff-Seized Fund (123-000-139) \$3,379.51
 Transfer to Sheriff-Forfeiture Fund (120-000-238) \$3,379.51

c. Clock Tower Donation

TO: Board of Supervisors
FROM: Tom Arnold
SUBJ: Donation for repair of the clock tower

We received a donation of \$3,000 from Trezevant Enterprises, Inc. to be used for the repair of the clock tower on the square. Please accept this donation on behalf of the county. We will keep a total of this and any other donations that may be received for documentation.

Thank you for your consideration.

d. Inventory Dispositions – Final

1) Sheriff’s Department

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION
34036	FORD 2001 CV	2FAFP71W01X153889	DECLARE AS SURPLUS / AUCTION	04	12K	SO CENTRAL MAINTENANCE	01/21/14	AMY HENLEY	GOVDEALS.COM
35005	FORD 2007 CV	2FAFP71W67X125829	DECLARE AS SURPLUS / AUCTION	07	20K	SO CENTRAL MAINTENANCE	"	"	"
35147	FORD 2005 CV	2FAHP71WX5X152666	DECLARE AS SURPLUS / AUCTION	07	13K	SO CENTRAL MAINTENANCE	"	"	"
38709	FORD 2006 CV	2FHAP71W66X140256	DECLARE AS SURPLUS / AUCTION	09	14K	SO CENTRAL MAINTENANCE	"	"	"
39804	FORD 2007 CV	2FAHP71W17X157306	DECLARE AS SURPLUS / AUCTION	09	135	SO CENTRAL MAINTENANCE	"	"	"
39832	FORD 2007 CV	2FAHP71W87X128160	DECLARE AS SURPLUS / AUCTION	09	13K	SO CENTRAL MAINTENANCE	"	"	"
39833	FORD 2007 CV	2FAHP71W97X157764	DECLARE AS SURPLUS / AUCTION	09	13K	SO CENTRAL MAINTENANCE	"	"	"
39837	FORD 2006 CV	2FAHP71W06X140253	DECLARE AS SURPLUS / AUCTION	09	12K	SO CENTRAL MAINTENANCE	"	"	"
39838	FORD 2006 CV	2FAHP71W56X131595	DECLARE AS SURPLUS / AUCTION	09	10K	SO CENTRAL MAINTENANCE	"	"	"
40771	FORD 2007 CV	2FAHP71W47X128138	DECLARE AS SURPLUS / AUCTION	10	13K	SO CENTRAL MAINTENANCE	"	"	"
40773	FORD 2007 CV	2FAHP71W47X128169	DECLARE AS SURPLUS / AUCTION	10	13K	SO CENTRAL MAINTENANCE	"	"	"

2) Sheriff’s Dept. – SID

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

Case #	Defendant	Date Seized	Receipt #	Amount	Date of Forfeiture
2014-01203	Charles Glover II	1/9/14	28687	\$ 440.00	2/14/14
2014-01523	Alberto Palafox	1/12/14	28693	\$ 205.00	2/14/14
2013-50241	Sesely Jefferson	11/5/13	28442	\$ 150.51	2/25/14
2014-02181	Marco Anderson	1/16/14	28721	\$2,109.00	2/26/14
2014-03517	Kelsey Brown	1/26/14	28738	\$ 274.00	3/5/14
2014-03517	Roosevelt Tyson	1/26/14	28738	\$ 201.00	3/5/14
				\$3,379.51	

Transfer from Sheriff-Seized Fund (123-000-139) \$3,379.51
 Transfer to Sheriff-Forfeiture Fund (120-000-238) \$3,379.51

2. Contracts Administration: Alco Burglar & Fire Alarm–Auto Renew, no changes, 1 year term

- a. 365 Loshier St., Administration Building - Fire
- b. 8525 Hwy 51 North, Tax Collector - Burglar
- c. 8525 Hwy 51 North, Justice Court - Fire
- d. 6597 BJ Chain Drive, Tax Collector - Burglar
- e. 6597 BJ Chain Drive, Tax Collector - Fire
- f. 5700 Delta View, DeSoto County Road Maintenance Barn - Burglar
- g. 365 Loshier St., Tax Collector – Burglar

3. Constable Annual Financial Report – Lena E. Medlin

4. Road Department: Safety Report

5. Tax Assessor’s Office: Petition for Increase and Reduction of Assessments – Detailed in Exhibit F

Supervisor Mark Gardner asked if item F.1.a Budget Amendment for the chiller plant is the final payment. Mr. Arnold said this is carried over from last year. Mr. Arnold said the Board wanted to make sure the chiller plant was completed and all issues resolved before making the final payment. This budget amendment is to move the money from last year’s budget to this year’s budget. Mr. Arnold said this action is a housekeeping task. Mr. Arnold said the budget amendment for I-69 corridor study is also a carry-over from last year.

Planning Director Ted Garrod said this is a mixture of matching grant money and county funds.

Supervisor Gardner asked Facilities Management Director Tony Martin if he thinks it is time to make the final payment to Siemens. Mr. Martin said yes; Siemens has taken care of the frozen pipes.

Supervisor Gardner asked about item number F.1.d for a bunch of cars that are being declared surplus. He said there is no reason listed for declaring them surplus. Mr. Arnold explained that these are vehicles that were seized by the Sheriff's Department. Inventory Clerk Char McCool pointed out that it says forfeitures in the reason section in the notes at the bottom of the form.

Supervisor Mark Gardner said in item number F.2 for contracts, all of the contact information for the alarms is incorrect. County Administrator Vanessa Lynchard explained that these are auto renew contracts and these original copies contain the old information. The new contact information has been made in the county system.

Supervisor Jessie Medlin asked if someone verified this information. Ms. Lynchard said absolutely. Supervisor Gardner asked about item number F.3 for constable annual financial report. He asked if the county provides cell phones for constables or if they reimburse the county.

Mr. Arnold said they do neither; they are self-employed and they pay their own expenses.

Ms. Lynchard said there was a time when the constables wanted to be on Fuel Man. She said Mr. Nowak looked into it and they are not allowed to be on that contract. The county cannot pay any phone expenses for the constables.

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve the actions set forth in 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 Harvey Lee, Fifth District	<u>YES</u>

See Exhibit F

G. OLD BUSINESS

1. Compensation Survey Update

Human Resources Director Janna Rogers said in a prior Board Meeting, two alternatives were presented to the Board in approaching the data gathered by the Stennis Institute for the compensation study.

Ms. Rogers said the Board opted to use a focus group to measure the data. The focus group consists of 35 county employees and it will be held March 20th from 9:00 a.m. until 12 noon.

Ms. Rogers said that Dr. French and Dallis Green of the Institute will conduct the group. The group will take use the data and average and compare findings. She said this is a reality check with our population.

Supervisor Jessie Medlin asked what questions or information do they ask. Ms. Rogers said the information was gathered by the Stennis group and they compiled it into different categories. The employees will rank job positions in categories of education, experience, types of environments, etc.

Supervisor Medlin asked if the people are from one department or different departments. Ms. Rogers said the employees are from several departments. It includes managers, directors and hourly employees.

County Administrator Vanessa Lynchard said she looked closely at the process and she thinks that investing the employees in the process is a good cross reference.

Ms. Rogers said if there is one position that is totally different, they can go back to it.

Ms. Lynchard said this allows them to get inside information to go with the information they compiled.

Ms. Rogers said they did job descriptions and interviews last year with the employees. They compiled job descriptions and they are much easier. She said the Sheriff’s Department is the only elected official that is participating.

2. Environmental Services: Liberty Tire - Final Agreement to haul and recycle waste tires from Central Maintenance and DeSoto County Rubbish Pit

Environmental Services Manager Ray Laughter said this agreement was brought up a few months ago but the contract was not from their corporate office. The contract before the Board today is the correct contract.

Supervisor Jessie Medlin asked if the \$375 is correct. Mr. Laughter said this is just to haul; tonnage is separate. Mr. Laughter said the average bill is \$1,000 per month and they transport the trailers for the county.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the contract with Liberty Tire to haul and recycle waste tires from the DeSoto County Road Department and the DeSoto County Rubbish Pit as detailed in Exhibit G.2; and authorize the Board President to sign the agreement.

The motion passed by a vote as follows:

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

See Exhibit G.2

3. Board Attorney

a. Animal Control Ordinance

Board Attorney Tony Nowak presented the draft ordinance for animal control and said the Board could now set a Public Hearing.

Supervisor Jessie Medlin said he would like to see a redline draft of the changes.

Supervisor Mark Gardner said he appreciated Monica Mock and Frank Rainey for their work on this as well.

Supervisor Bill Russell said he needs to sit down with Mr. Nowak or have a committee meeting to be prepared to present it to the public. Supervisor Russell said he is concerned about wording and it not being easily understood.

Supervisor Mark Gardner said Chief Macon Moore said the deputies could start carrying the ordinance. They could show it to the constituents and it could help everyone better understand.

Supervisor Russell said that would be for weekends; during the week, Animal Control would be there to clarify any issues.

Supervisor Lee Caldwell said she too, would like to see the redline draft.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to table the proposed draft of the animal control ordinance.

The motion passed by a vote as follows:

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

See Exhibit G.3.a

b. Seek AG Opinion for Holly Springs Utility

Board Attorney Tony Nowak requested removing this item from the Agenda. Mr. Nowak said they may have worked out a solution.

4. County Administrator

a. Fairhaven Fire Department Addition

County Administrator Vanessa Lynchard said the committee has been meeting and discussing renovations on other fire departments. She said it is now time to start on the Fairhaven Fire Department addition. Ms. Lynchard said that Supervisor Jessie Medlin saved park money to assist with the cost of the addition. The cost estimate for the addition is \$250,000; deduct the \$60,000 the county had set aside and that leaves \$190,000. The Fire Department has pledged \$140,000 at a rate of \$10,000 to \$15,000 to be spread per year from the tax and insurance fund. They are asking that the county put in an additional \$50,000.

Board Attorney Tony Nowak said they would need a lease agreement with the fire department on the building.

Ms. Lynchard said the site is a long term site. They talked about parking and the need to expand it in the back of the building.

Supervisor Medlin said that is why he was concerned about the cell tower being placed in the back of the building.

Supervisor Mark Gardner asked if this is the recommendation of the fire committee. Supervisor Lee Caldwell said yes.

Ms. Lynchard said the money would come from ending cash.

Supervisor Medlin asked if there would be any interest on the money.

Supervisor Bill Russell asked if there is anything we need next year.

Supervisor Caldwell said they have completed Love Fire Department and did the work on Bridgetown's parking lot. Fairhaven will be the last one. She said they are now working on numbers for next year.

Ms. Lynchard said the architect has been hired and paid. Supervisor Medlin said he would like to see them get a group of young people wanting to work to help out.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve hiring the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to work with Fairhaven Fire Department on a lease agreement and all paperwork necessary; authorize the budget allocation of \$60,000 toward the project; approve a loan for \$50,000 toward the project coming from the county's ending cash to be paid back over 10 to 15 years; approve waiving permits and interest on the loan; and authorize the bidding of the 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 Harvey Lee, Fifth District	<u>YES</u>

b. Smoking Policy in County Buildings

County Administrator Vanessa Lynchard said we all want to encourage people to quit smoking. She said there are people who adopted a policy to allow e-cigarettes to be smoked in offices. Ms. Lynchard said the problem with e-cigarettes is they are not FDA regulated. The vapors are inconsistent, partly because they are not regulated and partly because what goes into them. No studies have been done on the effects of the vapors and the vapors are inconsistent. There is also nicotine in them. They are marketing them to young people and making them in different flavors. We do not know enough about them to know if they are safe.

Ms. Lynchard said she is recommending to ban e-cigarettes and to include it in the county no-smoking policy.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to accept the report regarding electronic cigarettes; rewrite and revise the county smoking policy to include prohibiting the use of electronic cigarettes and ban them until the FDA makes a ruling; with the exception of the Jail.

The motion passed by a vote as follows:

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

See Exhibit G.4.b

H. NEW BUSINESS

1. 10:00 a.m. Tax Exemptions: Bioventus LLC – Free Port Warehouse

Robert Liddon of Baker Donaldson Law Firm and Anthony James, Vice President of Operations and Quality of Bioventus LLC appeared before the Board of Supervisors to discuss a free port warehouse tax exemption.

Mr. Liddon said that Bioventus is a spin-off of Smith and Nephew Medical and the finished product is warehoused by Mill Stone Medical in Olive Branch. Mr. Liddon introduced Mr. James of Bioventus.

Mr. James thanked the Board of Supervisors for their time today. He said Bioventus has 131 employees and they are located in North Carolina. He said that Bioventus sells orthopedic therapies and the finished goods are store at Millstone Warehouse in Olive Branch. They are then shipped to various states. Mr. James said that Millstone ships approximately 50,000 orders yearly for them. Mr. James said there is 150,000 square feet of space on Polk Lane and 10,000 square feet is for Bioventus. He said 25% of Millstone’s employees are from DeSoto County and they recently hired 6 more from DeSoto County to distribute Bioventus products. Mr. James said the product is an ultrasound that stimulates bones to mend. They have other products as well.

Supervisor Medlin clarified that Millstone is handling the product for Bioventus.

Jim Flanagan confirmed that Bioventus is based in North Carolina and uses Millstone Medical to house their finished product and Millstone ships the product to various locations. They are requesting a free port warehouse tax exemption on their product which is being housed in DeSoto County. Also, the employees are not Bioventus employees; they are Millstone employees.

County Administrator Vanessa Lynchard said there is one other model like this in the county.

Supervisor Medlin confirmed that six of the employees are from DeSoto County.

Supervisor Lee Caldwell said the Board likes to have our DeSoto County residents hired.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve a free port warehouse tax exemption for Bioventus LLC.

The motion passed by a vote as follows:

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

See Exhibit H.1

2. Circuit Court: Report from Pioneer Credit Recovery, Inc.

Circuit Court Clerk Dale Thompson said that one year ago they turned over their collections and fines to Pioneer Credit Recovery. Ms. Thompson said some their fines are the hardest to collect due to the people being incarcerated and may not be released for many years. She said it is hard to keep up with some of them and some who cannot afford to pay, go right back into jail. She said the judges as well as her employees do their best to keep up with the inmates that are released.

Ms. Thompson said they started the program on April 1, 2013. She said Pioneer has collected \$50,462.45 at no cost to the county. They have collected \$158,000 more this year than last year.

Supervisor Jessie Medlin clarified that the rolling 12 months is 02/2013 - 04/2014 and that they had 3,288 total placed.

Ms. Thompson said a lot of accounts get out of prison and are picked up somewhere else. She said that is a recall account and they change the release date.

Supervisor Medlin confirmed that the person comes back to jail later; Ms. Thompson said that is correct. Ms. Thompson said this agency has done a very good job.

Ms. Thompson reminded everyone that voter identification would be required for the next election which is June 3rd. She said it has been taken very well so far.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to accept the account analysis report for February 2014 from Pioneer Credit Recovery, Inc., as follows and to make it part of the minutes.

Pioneer Credit Recovery, Inc.
Account Analysis
February 2014
Summary

**Monthly Collection Summary February 2014 -
DeSoto**

	Total Placed Count	Total Placed Amount	Collected to Date	Recalled Count	Recalled Amount
DeSoto County MS Circuit Court					
Month to Date: 02/2014	0	\$0.00	\$8,739.44	133	\$323,566.18
Year to Date: 2014	0	\$0.00	\$11,924.39	188	\$424,685.64
Rolling 12 Months: 02/2013 - 02/2014	3,288	\$6,971,125.66	\$50,462.45	505	\$1,020,018.29

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>

Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.2

3. EMS: Activity Report for February, 2014

EMS Billing Supervisor Shirley Beshears presented the EMS Billing report for February 2014 as follows:

Desoto County
EMS BILLING REPORT
February 2014

Number of ambulance runs billed:	137
Amount billed:	\$47,308.00
Amount collected:	\$41,619.98
Write off amount:	\$1,571.58
Collection rate:	90%

	Eudora	Lewisburg	Walls
Dispatched Calls:	68	68	71
Refusals:	12	7	20
Standby Only:	5	5	5
Billed:	42	50	42

Other Totals All Stations: 19
(unable to locate patient, treated and transferred, treated and released, no treatment required, no patient found, dead at scene, cancelled and unknown)

Supervisor Jessie Medlin asked about the other 19 calls. Ms. Beshears explained they were unable to locate patient, treated and transferred, treated and released, no treatment required, no patient found, dead at scene, cancelled and unknown.

Supervisor Mark Gardner said this is a good report. Supervisor Lee Caldwell concurred with Supervisor Gardner.

Board Attorney Tony Nowak said the county is not allowed to “write off” money and recommended using the term “uncollectable”.

Ms. Beshears said the office has been moved and is clean. She said it is very nice. Ms. Beshears said they have met all of the ambulance people except for the ones at Lewisburg. She said they are receiving the billing information and everything is going quite well.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to accept the EMS Activity Report for February 2014 and to make it part of the minutes.

The motion passed by a vote as follows:

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

See Exhibit H.3

4. Greenways and Parks: Park Management Agreements – Robertson Donald Park

Parks and Greenways Director Larry Jarrett presented a model of a proposed management agreement that could be used for parks in DeSoto County. He said he tried to come up with a solution to keep parks open at night and still remain safe. Mr. Jarrett said the fees would be spent on maintenance and

upkeep of the parks. Mr. Jarrett said he is requesting the agreement be approved in substantial form for all parks.

Supervisor Jessie Medlin asked who would pay utilities. Supervisor Bill Russell said the new agreement requires the county to pay the utilities. Supervisor Medlin said a lot of money comes through the ball teams. He said it can be several thousand dollars and we have to be concerned with who is handling the money. Supervisor Russell agreed. He said he wants the money to be used for the benefit of the children.

Board Attorney Tony Nowak said today the Board is reviewing the agreement and giving input. Mr. Nowak said the Board could add payment of utilities to the new agreement; in the old agreement the association paid for utilities. Mr. Nowak said in the original agreement only one group used the parks and they paid utilities. In the new agreement, more groups will be using the parks. Also, there are a certain number of days the park has to be open for public use. That also needs to be addressed in the agreement.

The Board discussed park usage and how it could be managed effectively. Supervisor Russell suggested leaving schedules a little loose so that others can use the parks either by scheduling or just showing up to use the park. He said the teams understand that it is first come, first serve.

Supervisor Medlin said he did not want a situation that would allow only Sundays and Wednesdays as days to use the parks when most people are at church.

Mr. Jarrett said these are things that can be worked out.

Supervisor Lee Caldwell asked about page 5 where it states the county will provide medical services. Mr. Nowak clarified that this does not require an ambulance sitting at the parks but would provide on call services.

Supervisor Bill Russell said we are looking at the organizations to help with maintaining buildings, cutting grass and helping with other issues.

Supervisor Caldwell said she wanted to make sure the public has plenty of access to these parks. Supervisor Medlin said he would like to put additional days in the agreement. Mr. Nowak said they can put days in the agreement but the agreement will change each time the day changes; thus, the proposal is to have the management company submit a schedule of use each year that the District would approve. Supervisor Russell said that is about the only way you can do it. We had a contract with the Recreational District for several years and there was never a problem. Supervisor Russell said when managers called him with a problem; he recommended them to the managers and told them to call if the problem is not resolved. He said he never received a call back.

Mr. Nowak said the financial and administrative reports are required annually but additional requests can be added such as quarterly.

Mr. Nowak said the Lady Tigers asked for a two year agreement instead of one year.

Mr. Jarrett said there will be an annual audit report by a certified public accountant.

Supervisor Harvey Lee made the motion and Supervisor Bill Russell seconded the motion to approve accepting the agreement in substantial form and to meet with the managers and bring information back to the Board.

The motion passed by a vote as follows:

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

See Exhibit H.4

5. Office of Procurement - Bids Under Advisement

a. Pharmaceutical Supplies

Procurement clerk Karen McNeil presented the bids related to pharmaceutical supplies. She said this bid renews every six months and the overall savings on usage last year is 9%.

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve the bid summary for bid number 14-240-002 as follows:

CATEGORY	FY13 BUDGET IMPACT BASED ON USAGE	FY14 BUDGET IMPACT BASED ON USAGE	% OF OVERALL DECREASE	Budget Impact figured on usage only. Items without usage within past 12 months are not considered.
Apparel/Bag/Kits	\$ 184.00	\$ 189.80		Award: Sound Tree First Alternate: Henry Schain
Bandages/Wound Care	\$ 682.82	\$ 1,082.89		Second Alternate: Moore Medical Award: Moore Medical First Alternate: Sound Tree
Infection Control	\$ 188.67	\$ 187.87		Second Alternate: Henry Schain Award: Henry Schain First Alternate: Moore Medical
Instruments/Care	\$ 686.82	\$ 617.84		Second Alternate: Sound Tree Award: Henry Schain First Alternate: Sound Tree
Diagnostic Tests	\$ 1,812.24	\$ 1,809.04		Second Alternate: Moore Medical Award: Moore Medical First Alternate: Henry Schain
Diagnostic/Dental Equipment	\$ 1,428.09	\$ 611.84		Second Alternate: Sound Tree Award: Moore Medical First Alternate: Sound Tree
Extraction/Transportation	\$ 6,386.26	\$ 4,386.26		Second Alternate: Henry Schain Award: Sound Tree First Alternate: Henry Schain
IV Therapy	\$11,479.09	\$ 6,987.88		Second Alternate: Moore Medical Award: Henry Schain First Alternate: Sound Tree
Needles/Syringes/Disposal	\$ 348.84	\$ 342.88		Second Alternate: Moore Medical Award: Henry Schain First Alternate: Sound Tree
Respiratory	\$ 1,888.08	\$ 1,828.01		Second Alternate: Moore Medical Award: Sound Tree First Alternate: Sound Tree
Gloves	\$ 1,888.07	\$ 1,887.88		Second Alternate: Moore Medical Award: Henry Schain First Alternate: Henry Schain
OTC Pharmaceuticals	\$ 1,888.08	\$ 888.88		Second Alternate: Moore Medical Award: Sound Tree First Alternate: Sound Tree
Rx Pharmaceuticals	\$ 6,888.77	\$ 6,888.88		Activated charcoal to Sound Tree Award: Sound Tree First Alternate: Henry Schain
Soil Products	\$ 8,812.00	\$ 8,812.00		Second Alternate: None Award: Ecol First Alternate: Henry Schain
	\$ 48,828.84	\$ 42,878.88	-9% savings	

The motion passed by a vote as follows:

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

See Exhibit H.5.a

b. Janitorial Supplies

Procurement clerk Sheila Morris presented the bids for annual janitorial supplies. She said that 12 vendors bid and that one “declined” and the letter declining is attached to the bid tabulation. Supervisor Jessie Medlin said he thought the cleaning service furnished these supplies. Facilities Management Director Tony Martin said these supplies are for the Jail.

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve bids for janitorial supplies relating to bid number 14-151-003 and as fully detailed in Exhibit H.5.b.

The motion passed by a vote as follows:

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

See Exhibit H.5.b

6. Office of Finance and Accounting

a. Grants Administration - Approval to Apply: Art & Culture Entergy Grant

Grants Administrator Melissa Zizmann said this grant was brought to her attention by Judge Celeste Wilson. The grant will provide funding for the youth court mentors to accompany court assigned youth to cultural events. She said there is no match and the amount is for \$5,000. Ms. Zizmann said it is being funded by Entergy for one year.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve applying for the Art & Culture Entergy Grant for the Youth Court Mentoring Program for \$5,000 with no match required and the length of one year.

The motion passed by a vote as follows:

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

See Exhibit H.6.a

b. Inventory Dispositions – Preliminary: IT Dept.

Inventory Clerk Char McCool presented preliminary dispositions for the IT Department as detailed in item H.6.b. She said the items are either taken out of service or inoperable.

Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to approve the preliminary dispositions for the IT Department as fully described in Exhibit H.6.b.

The motion passed by a vote as follows:

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

See Exhibit H.6.b

c. Inventory Dispositions – Transfer one Truck to Sheriff’s Department

County Administrator Vanessa Lynchard said the Road Department has a 1996 Dodge Ram that the Sheriff’s Department could use and requested the truck be transferred to the Sheriff’s Department.

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to approve transferring one Dodge 96 Ram asset # 14063, serial no. 285WE35Z5TK131188 from fleet management to the Sheriff’s Department Road Crew; declare surplus and put \$20,033 into the general fund.

The motion passed by a vote as follows:

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

See Exhibit H.6.c

d. Supplemental Claims Docket

Chief Financial Officer Tom Arnold presented the claims docket to the Board with the exception of page 63. Mr. Arnold read the items with the exception of page 63 on the claims docket individually and the Board discussed these items.

Supervisor Mark Gardner requested holding page 63 until later as he has a conflict and will recuse himself from the discussion of the claims on that page.

Supervisor Jessie Medlin asked about the Travelers claim on page 5. Mr. Arnold said it is for an ongoing lawsuit.

Supervisor Mark Gardner asked about the claim on page 20 paid to IT Outlet. IT Director John Mitchell said this is for switching equipment. He said on the same page is a claim for Unistar and it is for cables and the claim for \$530 is for a laser printer.

Supervisor Gardner asked about the following claims:

Page 35 to Hendon Media Group. Mr. Arnold said it is for registration and training.

Page 45 to Advanced Screening and Solutions. Mr. Arnold said it is for drug testing of employees. Some of the names are listed twice because they had drug and alcohol testing and they are two separate tests.

Page 47 to IID Wholesaler. Mr. Arnold said this is for blank identification cards.

Page 62 to Network Innovations. Mr. Arnold said this is a monthly charge for satellite phones.

Page 79 to Waggoner Engineering. Mr. Arnold said this is for a state aid project.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to authorize the Chancery Clerk to pay the bills as presented except for page 63, 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 Harvey Lee, Fifth District	<u>YES</u>

Supervisor Mark Gardner recused himself from discussion on page 63 of the claims docket. Mr. Arnold then presented the claims on page 63.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to authorize the Chancery Clerk to pay the bills as presented on page 63, 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>RECUSED</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

7. IT Department: GIS Web Site

It Director John Mitchell presented the new GIS web site to the Board. Mr. Mitchell said a lot of web sites for GIS are layered. This new web site would be an upgrade and would be allowed on an iPad, tablets and other technologies. He said there have been many requests that GIS be accessed with tablets.

GIS Director Matt Hanks said that he and his former employee built the existing GIS web site and it took them six months along with their other responsibilities.

Mr. Mitchell said he thought this is the right thing to do. Mr. Mitchell said this would be paid for from his budget.

County Administrator Vanessa Lynchard said that she and Mr. Mitchell talked about paying for this from his budget and he may have to come back to the Board for more funding.

Mr. Hanks said this is a really nice site. He said with one click it can tell you everything about that parcel.

Mr. Mitchell said it would take about two months. It will also be much faster. He said he may have to come back to the Board later if they need more funding.

Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to approve the new GIS web site as recommended by the IT Director with funding from the IT budget and possible funding requests later.

The motion passed by a vote as follows:

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

8. Environmental Services

a. Advertising County Resources: Earth Day Promotion

Environmental Services Manager Ray Laughter said they are partnering with the municipalities, DeSoto County Schools and 95.3 Rebel radio station. Mr. Laughter said Earth Day is very exciting day and the slogan is Fresh Green and Clean 2014. He said the press is always good to them and he appreciates that. Mr. Laughter also thanked the Board for their support.

Mr. Laughter said last year there were 35 vendors and this year we have the regulars in addition to new vendors.

Supervisor Lee Caldwell said there is a lot of excitement at the schools. They are learning about Earth Day and the competition is growing. The children are leaning about air quality and talking about it. It is good publicity for the county.

Supervisor Jessie Medlin said the Board usually donates \$1,000 from Advertising County Resources and he asked how the money would be spent.

Mr. Laughter said it is for newspaper ads that are run weekdays and weekends.

In accordance with Section 17-3-3, of the Mississippi Code of 1972, the Board of Supervisors did make a determination that the request for the contribution would advertise the resources and possibilities of DeSoto County and thereby advance the moral, financial and other interests of DeSoto County, Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve contributing \$1,000 from Advertising County Resources to the Earth Day event being held on April 26, 2014, and to authorize the clerk to write the check.

The motion passed by a vote as follows:

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

Supervisor Bill Russell said he would like for the Board to discuss the current policy for Advertising County Resources. He said it is a good policy except for the ending comment. He said those comments state the Board can do whatever it pleases which disregards the previous part of the policy. Supervisor Russell said they need to work on the policy to be more specific. He said there should be no caveats and the rules should be hard and fast. Supervisor Russell said he felt like the public would understand if it is a rule.

Supervisor Lee Caldwell said we do need stricter guidelines.

Supervisor Jessie Medlin requested a copy of the policy.

Supervisor Caldwell said she would also like to hear from the Board Attorney when they have further discussion.

No motions were made nor votes taken on this item.

**b. DeSoto County's Award for Environmental Stewardship by the MDEQ enHance Program
April 9, 2014**

Environmental Services Manager Ray Laughter said the enHance Program is a voluntary initiative to recognize environmental leaders in Mississippi. Mr. Laughter said a few months ago he and Grant Writer Melissa Zizmann and Vanessa Lynchard applied for this program. He said there was a rigorous interview with four representatives from Jackson. They interviewed Mr. Laughter, Ms. Zizmann, Ms. Lynchard and Tony Martin for about 3-4 hours. Mr. Laughter said it was a positive meeting and they learned a lot.

Mr. Laughter said they received the enHance Award from 2014-2016. During those years they will be required to submit an annual report summarizing results from the environmental improvement projects listed in the application form. He said this program will help DeSoto County move forward in recycling and energy consumption. Mr. Laughter said there will be an enHance Annual Networking Workshop on April 9, 2014, at the Marriott in Jackson. Mr. Laughter said DeSoto County is the only unincorporated county that has been selected. Mr. Laughter said that is a testament to this Board's administration.

Ms. Lynchard said they are looking for the right members. Mr. Laughter said they made calls to us after the interviews. They told him that the Road Manager's inspections had no violations. Ms. Lynchard said they seemed intrigued by our Rubbish Pit.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to approve travel and overnight stay for anyone wanting to attend the enHance Annual Networking Workshop on April 9, 2014 at the Marriott in Jackson as detailed in Exhibit H.8.b.

The motion passed by a vote as follows:

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

See Exhibit H.8.b

9. Road Department: Finding of Fact

a. Vaiden Road, Just East of 7625

Road Manager Andy Swims said they will need to go on to private property because they will have to remove trees so the water can flow better and reduce the silting problem.

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to accept the finding of fact and that the conditions on Vaiden Road, Just East of 7625 where the road is flooding are adversely affecting the health, safety and welfare of the citizens of DeSoto County in accordance with Mississippi code section 19-5-92; that it would be necessary to address drainage at a double box culvert to resolve the situation at an estimated cost of \$26,260.64; and that the repairs will help prevent future flooding and protect the road and right of way, and to authorize the Road Manager to proceed with the work at an estimated cost of \$26,260.64.

The motion passed by a vote as follows:

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

See Exhibit H.9.a

b. Pleasant Hill Road, Just East of Getwell

Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to accept the finding of fact and that the conditions on Pleasant Hill Road, Just East of Getwell where the road is flooding are adversely affecting the health, safety and welfare of the citizens of DeSoto County in accordance with Mississippi code section 19-5-92; that it would be necessary to address drainage at a box culvert to resolve the situation at an estimated cost of \$15,937.76; and that the repairs will help prevent future flooding and protect the road and right of way, and to authorize the Road Manager to proceed with the work at an estimated cost of \$15,937.76.

The motion passed by a vote as follows:

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

See Exhibit H.9.b

c. 2124 Getwell Road South

Supervisor Harvey Lee made the motion and Supervisor Bill Russell seconded the motion to accept

the finding of fact and that the conditions on 2124 Getwell Road South where the road is flooding are adversely affecting the health, safety and welfare of the citizens of DeSoto County in accordance with Mississippi code section 19-5-92; that it would be necessary to address drainage at a box culvert to resolve the situation at an estimated cost of \$3,660.16; and that the repairs will help prevent future flooding and protect the road and right of way, and to authorize the Road Manager to proceed with the work at an estimated cost of \$3,660.16.

The motion passed by a vote as follows:

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

See Exhibit H.9.c

Supervisor Jessie Medlin said part of Robinson Gin Road is in the city. He said the road has a lot of deep curves and he asked if the curves could be tapered “in” instead of “out” and there are no stripes. He asked if someone could check into it.

Sheriff Bill Rasco said people are dumping trash again on Hosanna St. past Edgewater. Mr. Swims said they would check into it.

Sheriff Rasco asked if a “No Dumping” sign could be placed there.

I. PLANNING COMMISSION AGENDA

**DESOTO COUNTY BOARD OF SUPERVISORS
ORDER OF ITEMS
March 17, 2014
11:00 a.m.**

I. NEW BUSINESS

1. CONSENT

- a. **Thomas Taylor Minor Lot (6920) – Application is for final subdivision approval of one (1) lot of 6.964 acres and one (1) lot of 9.036 acres identified as Parcel #3-05-4-19-00-0-00012-00. Subject property is located on the north side of Red Banks Road and south of Cathy Road in Section 19, Township 3, Range 5 and is zoned Agricultural (A). (District 1)**
- b. **Gladys T. Edwards Minor Lot (6923) – Application is for final subdivision approval of one (1) lot of 2.5 acres, one (1) lot of 2.01 acres, one (1) lot of 1.56 acres, one (1) lot of 2.02 acres and one (1) lot of 1.5 acres identified as Parcel #3-06-9-31-01-0-00009-00. Subject property is located on the north side of County Line Road and west of Smith Road in Section 31, Township 3, Range 6 and is zoned Agricultural (A). (District 5)**
- c. **Blackwoods Douglas Road Subdivision, First Revision of Lot 5 (6924) – Application is for final subdivision approval of one (1) lot of 2.26 acres and one (1) lot of 3.12 acres identified as Parcel #2-07-8-34-01-0-00005-00. Subject property is located on the north side of Byhalia Road and west of Douglas Road in Section 34, Township 2, Range 7 and is zoned Agricultural (A). (District 5)**

Mr. Haysley presented the consent agenda items and stated that the Planning voted unanimously to recommend approval of the consent agenda items.

Supervisor Lee asked if there would still be two points of direct access to the road on the parent tract of the Gladys T. Edwards Minot Lot. Mr. Haysley stated the new configuration of lots and lot lines would leave only one direct access point to the parent tract.

Supervisor Medlin asked how many lots were being created with the Thomas Taylor Minor Lot. Mr. Haysley confirmed two lots were being created.

Supervisor Lee made a Motion to approve the consent agenda items. Supervisor Gardner seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

J. EXECUTIVE SESSION

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

K. OTHER

1. Rebid of Jail Expansion Update

County Administrator Vanessa Lynchard referenced an email from Mr. Childress regarding an additional \$30,000 for Jail expansion. She said this is for fees for the rebid

Supervisor Bill Russell said \$30,000 is a lot of money. He said he would like to hear from Mr. Childress what that money is being used toward.

Supervisor Mark Gardner said that is a lot of money for people asking questions. Supervisor Gardner asked if it would save county money if we opened the bids instead of the architect firm.

Supervisor Russell asked if they will generate all new documents. Ms. Lynchard said yes; it has to meet Mississippi bid laws. They have to meet certain aspects. Mr. Nowak said the architect must verify that contractors and subcontractors have certain certificates as well.

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to approve adopting the recommendation of the Jail Committee to hire Evans, Taylor, Foster and Childress to handle the rebid for the Jail Expansion and to authorize paying an hourly rate of \$150 for the architects services in processing the rebid, subject to a cap of total expenditures \$30,000.

The motion failed 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>NO</u>
Supervisor Lee Caldwell, Fourth District	<u>NO</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

Supervisor Bill Russell made the motion to authorize paying Evans, Taylor, Foster and Childress up to \$15,000 for necessary administration work on the rebid of the Jail.

The motion failed for lack of a second.

Mike Childress of Architect for Evans, Taylor, Foster and Childress joined the meeting by phone.

Mr. Childress said Smith Doyle has questioned him about pushing the date back. Mr. Childress said

they really don't need to push the date back because it will get into bad weather and delays. That could cause significant delays in the completion of the expansion.

Supervisor Gardner said he has received a text message that a contractor was not going to bid.

Supervisor Gardner asked Mr. Childress to explain the proposed not to exceed amount of \$30,000 for the rebidding process.

Mr. Childress said \$30,000 is 5% of the bidding phase. He said this is the extra fee because the jail expansion had to be rebid; which generates additional inquiries and questions that his firm must handle. He said this pays for the bidders' phone calls needing clarification and questions answered etc. In addition, there are eight other consultants on the team. Mr. Childress said they receive calls regarding the bids and everyone has invested time. He said the fee for 8 consultants is \$4,000 per consultant which is more than \$30,000. He said that one bidder had a lot of questions and really scrutinized the bid and the answers to their questions. Mr. Childress said that process is time-consuming. He said one guy sent 30 plus emails.

Supervisor Bill Russell asked Mr. Childress if they are expecting new bidders. Mr. Childress said yes. He said some have asked questions about the contract.

Supervisor Jessie Medlin said when he saw the email that mentioned \$30,000 he wanted an explanation.

Mr. Childress said it is for time opening the rebids, fielding questions, contracts, attending Board meetings, issuing bids to contract. He said there is a lot of work to re-do. He said we could also get new bidders. Mr. Childress said they would try to keep the rates low. He said this is less than what his firm charges other clients.

Supervisor Lee Caldwell said she was shocked when she saw the email that stated \$30,000. Mr. Childress said they want to respond to the questions so there is not a chance a bidder can say they were not treated fairly.

Supervisor Gardner asked what would happen if the Board did not approve the money.

Mr. Childress said the Board is welcome to open the bids and field the questions with its own staff.

Supervisor Mark Gardner made the motion to reconsider the prior motion. Supervisor Jessie Medlin seconded the motion.

The motion passed by a vote as follows:

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

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to approve paying Evans, Taylor, Foster and Childress an hourly rate of \$150 for reissuing bids for the Jail expansion and for all work relating to the bid, subject to a cap of \$30,000.

The motion passed by a vote as follows:

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

Supervisor Mark Gardner made the motion to adjourn the Board meeting until April 7, 2014 at 9:00

a.m. The motion was seconded by Supervisor Harvey Lee.

The motion passed by a vote as follows:

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

THIS the 17TH day of March, 2014, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Lee Caldwell, President
DeSoto County Board of Supervisors