

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

**DISTRICT FIVE HARVEY LEE, PRESIDING**

**March 3, 2014**

**A. CALL TO ORDER**

The March 3, 2014 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Harvey Lee, Board Vice 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 Participated by phone
Supervisor Bill Russell	District 3
Supervisor Lee Caldwell	District 4 Participated by phone
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**

Deputy Carl Hurt presented the invocation.

**C. PLEDGE OF ALLEGIANCE**

**D. APPROVAL OF FEBRUARY MINUTES**

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

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

Supervisor Bill Russell said there is only one supervisor on the committee for the vehicle use policy and he would like to be appointed to serve on the committee as well.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to add the appointment of Supervisor Bill Russell to the vehicle use policy committee.

The motion passed by a vote as follows:

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

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to accept the minutes of the Board of Supervisors for February, 2014, as presented this date with changes to the draft minutes previously submitted; including adding the previous motion to add Supervisor Bill Russell to the to the committee for the vehicle use policy; 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> Participated by phone
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u> Participated by phone
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit D**

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

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

**1. Chief Financial Officer Tom Arnold requested adding three late bills.**

**a. 826 Crocket Loop – \$480.00 Property clean up, out of state sale, exempt from sales tax**

This item was held until the public hearing later in the meeting.

**b. Holly Springs Utility Department - \$594.15 to avoid late charges**

Mr. Arnold said this bill is due on Wednesday and if it is held until the next Board Meeting, late charges would be incurred. Mr. Arnold said the late fee is \$18.29 but it does add up.

Mr. Arnold said this is for the DeSoto County Sheriff’s Firing Range in Holly Springs. He said he has been working with Chief Macon Moore to try to alleviate paying late fees on the utility bill. He said Tony Martin, Reby Johnson and the Sheriff have also tried to work with TVA.

County Administrator Vanessa Lynchard said we tried to find a way to avoid late fees. She said that Board Attorney Tony Nowak had suggested ratifying it on the next agenda.

Supervisor Mark Gardner asked if it is legal to pay late fees. Mr. Nowak said generally no, that is not allowed, but the provider is under contract with TVA and there may be federal law involved. He stated he is checking in to it.

Supervisor Jessie Medlin asked if the government can put up a deposit and when that money is depleted, they could inform the county. Mr. Nowak said he would check on that option as well.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to pay the bill to Holly Springs Utility Department in the amount of \$594.15 for the Sheriff’s Firing Range which includes the late fee.

The motion passed by a vote as follows:

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

**See Exhibit E.1.b.**

**c. Mr. Arnold presented a late bill for the Smith, Phillips, Mitchell, Scott and Nowak Law Firm in the amount of \$15,566.44.**

Mr. Arnold said this bill was not received in time for the claims docket. He said the amount is for \$15,566.64 excluding the Planning Commission retainer which is \$550.00. That is paid on a separate bill.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded to approve paying the late bill for the Smith, Phillips, Mitchell, Scott and Nowak Law Firm in the amount of \$15,566.64

which bill does not include the Planning Commission retainer in the amount of \$550.00, as the retainer is paid on a separate bill.

The motion passed by a vote as follows:

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

**See Exhibit E.1.c**

**2. Supervisor Bill Russell said the letter and exhibit for the recreation district that is listed in Executive Session should be discussed in open session under item H.2 Greenways and Parks: Johnson Creek MOU.**

**3. County Administrator Vanessa Lynchard requested adding EMA: Declaration of Emergency for today.**

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve a request by EMA for a Declaration of Emergency for March 3, 2014 for DeSoto County due to the storm.

The motion passed by a vote as follows:

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

**See Exhibit E.3**

**4. Supervisor Lee Caldwell requested removing item number I.6.b.2 in New Business for Advertising County Resources Committee Policy.**

**5. Environmental Services Manager Ray Laughter requested adding an update from Waste Connections on the schedule changes due to inclement weather.**

Mr. Laughter said Waste Connections will not service residential garbage customers due to inclement weather and the hazardous road conditions. They are asking everyone to leave the trash bins on the curb all week until they can pick up. There will be a delay for some customers but they also work on Saturday if necessary. Customers with questions can call Waste Connections Customer Service at 901-398-5400, although they are closed today.

**6. Supervisor Jessie Medlin requested that the letter referencing the recreational district which was moved from executive session to open session, be included in the motion to approve the Agenda and to be made part of the Board minutes as detailed in Exhibit E.6.**

**7. Road Manager Andy Swims requested updating the Board regarding the road conditions due to inclement weather.**

Mr. Swims said there were spotty patches of ice throughout the County, especially the western part. He said the roads were dangerous and they are still working on them because the temperature is staying very low. Mr. Swims said they put sand and material at intersections and bridges and other areas of the road.

Supervisor Harvey Lee said he would personally like to thank the Sheriff and the Sheriff's Department; the Road Department and everyone who is working on keeping the roads safe.

Sheriff Bill Rasco said he gave a press conference yesterday. He said he appreciated Mr. Swims and his people and Bobby Storey and his people.

Supervisor Lee thanked all of them for joining together during the icy conditions.

Supervisor Lee Caldwell thanked them for sending pictures as well.

County Administrator Vanessa Lynchard said Mr. Storey and his people went home at 1:30 a.m. and they were back at work very early this morning. She said our county is so well taken care of by everyone.

Mr. Swims said there is very good communication between all of them and very good interaction. He said he could not do as good a job without the Sheriff's Department and EMS.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve the Agenda with the additions set forth above, and as detailed in exhibits, and to make the letter from Melinda McGrath with MDOT regarding Local Congestion Mitigation and Air Quality Program 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> Participated by phone
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u> Participated by phone
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit E**

## **F. CITIZENS REMARKS & PRESENTATION**

Supervisor Harvey Lee asked if there was anyone present in the audience who wished to address the Board regarding an item not on the Agenda.

No one came forward.

## **G. CONSENT AGENDA**

The Board of Supervisors considered the following items on the meeting's Consent Agenda. Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the Consent Agenda items as follows:

### **1. Dept. of Human Resources: Monthly Health Claims**

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

<b>Funding Request</b>	<b>Date Paid</b>	<b>Amount</b>	<b>Claim Type</b>
<b>Date</b>			
2/1/14	2/3/14	\$80,224.03	Administration Fees
2/3/14	2/4/14	\$57,741.69	Medical
2/3/14	2/4/14	\$11,291.60	Dental
2/3/14	2/4/14	\$14,217.92	Pharmacy
2/10/14	2/13/14	\$39,070.51	Medical
2/10/14	2/13/14	\$4,340.75	Dental
2/10/14	2/13/14	\$19,368.27	Pharmacy
2/17/14	2/18/14	\$38,015.13	Medical
2/17/14	2/18/14	\$5,265.75	Dental
2/17/14	2/18/14	\$16,718.01	Pharmacy
2/25/14	2/25/14	\$14,252.40	Medical
2/25/14	2/25/14	\$9,975.00	Dental
2/25/14	2/25/14	\$13,672.82	Pharmacy
			Medical
			Dental
			Pharmacy
	<b>TOTAL</b>	<b>\$324,153.88</b>	

## 2. Justice Court Report

Criminal Cases Filed	154
Civil Cases Filed	764
Traffic Tickets Filed	1,300
Total Cases Filed	2,218
State Assessments	\$93,674.25
County General Fund	\$140,107.63
Total Collections	\$233,781.88

### Bailiff Pay

Liz Medlin	\$340.00
Bobby Holloway	\$380.00
Brandon Hylander	\$490.00
Lee Hodge	\$245.00
Chris Plumlee	\$435.00

## 3. Publication of Board Proceedings

## 4. 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.

Case #	Defendant	Date Seized	Receipt #	Amount	Date of Forfeiture
2013-57246	Zachary D. Tucker	12/28/13	28639	\$ 397.00	1/31/14
2013-7609	Mark Christiansen	2/12/13	27392	\$5,575.00	2/6/14

2014-01903	Chandra Stewart	1/14/14	28706	\$ 510.00	2/20/14
2014-02027	Kelvin Rice	1/15/14	28706	\$2,061.62	2/20/14
				\$8,543.62	

Transfer from Sheriff-Seized Fund (123-000-139) \$8,543.62  
 Transfer to Sheriff-Forfeiture Fund (120-000-238) \$8,543.62

Thank you.

C: Commander Kyle Hodge

**c. Inventory Disposition-Final: Road 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
36132	LONDON FOG MOSQUITO SPRAYER #82	2010	MOTOR LOCKED UP / SURPLUS TRADE-IN	10	7K	CENTRAL MAINTANCE	09/16/13	JOHNNY CONLEE	TRADE-IN

**5. Road Department**

**a. Road Report    b. Work Schedule    c. Road Bond Report**

**d. Request for Road Manager to attend the Association of Floodplain Managers of MS Spring Conference 4-28 – 5/2/14, Biloxi, MS**

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

**a. Lease Agreement with the City of Olive Branch for Pleasant Hill North Fire Station**

**b. DeSoto County Medical Directorship Agreement**

**c. Interlocal Agreement Allowing the Marshall County Sheriff to House Inmates at the DeSoto County Jail.**

**7. Chancery Clerk Allowance (3) \$1,866.66 \$1,100.00 \$1,450.00**

**8. Submit for Reimbursement from MDOC for Inmate Housing**

Supervisor Jessie Medlin asked about item number G.6.b for the Interlocal Agreement with Marshall County Housing Inmates.

Mr. Nowak said this Interlocal agreement was approved several months ago and was recorded in our Clerk’s Office. Marshall County has not been overcrowded so it has not been used; however, it needs to be made part of the minutes as it has been recorded with the Chancery Clerk and the Secretary of State.

The motion passed by a vote as follows:

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

See Exhibit G

## H. OLD BUSINESS

### 1. Jail Expansion

#### a. Rescind prior award to Flintco

#### b. Authorizing Rebidding the Contract

#### c. Postpone Sheriff's Administration Building Bid Opening

County Administrator Vanessa Lynchard said there was an error made during the jail bidding process in that no notice of the solicitation of bids was published in a newspaper, as required by the purchasing laws. As required by law, and it being in the best interest of the County, the Board must rescind the prior award and rebid the project. Further, the Board should consider postponing the Sheriff's Administration Building bid process as the budget for that project is conditioned upon the cost of the jail project. Ms. Lynchard said we want to ensure the Board's process is correct.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to rescind the prior bid award for the Jail Expansion to Flintco, based upon the fact notice of solicitation of bids was not advertised in a newspaper as required by Mississippi Code Annotated Section 31-7-13; and to authorize re-soliciting bids for the Jail Expansion; and to withdraw the Sheriff's Administration Building bid solicitation until reauthorized by the Board.

The motion passed by a vote as follows:

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

### 2. Greenways & Parks: Johnson Creek Greenway MOU

Greenways and Parks Director Larry Jarrett said he met with officials from the City of Horn Lake, and Supervisor Bill Russell regarding the ordinance establishing county rules and regulations in the parks. He said the meetings went well and they made a few modifications.

Mr. Jarrett said, if the Board approves the ordinance, the Recreation District is recommending that Hernando DeSoto River Park be closed from 1/2 hour after sunset and 1/2 hour before sunrise, except for use by permit only. He said they are testing an online permitting system for a dashboard permit and an annual hang tag permit. The permits would be available at no charge and the user would call the DeSoto Economic Council to make the purchase. Mr. Jarrett said there will need to be a Public Hearing before the ordinance can be put into place.

Board Attorney Tony Nowak said, first, the Public Hearing needs to be scheduled. After the public hearing the Board could adopt the ordinance. The permitting process would be implemented after the ordinance is approved.

Supervisor Bill Russell stated the after dark permitting if it is only for Hernando DeSoto Park at this time.

Supervisor Harvey Lee said they discussed having it in one park to see how everything goes and make changes if necessary. He said this is a good idea and it will make fishermen feel safer; we can add permitting for other parks as needed.

Supervisor Mark Gardner asked Sheriff Bill Rasco if he was comfortable with the ordinance. Sheriff Rasco said he has looked at the ordinance and it looked good.

Mr. Nowak said Chief Moore attended the meeting and had very good input and was very helpful. Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to approve setting a Public Hearing for April 7, 2014 for the purpose of consideration of the Ordinance Establishing Rules and Regulations Regarding Activities Within County Parks; Prohibiting Certain Activities in County Parks; Establishing Requirements Related To Vehicles and Traffic Within Parks and Providing For Enforcement and Penalties.

The motion passed by a vote as follows:

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

Supervisor Jessie Medlin said he thought we already had an ordinance established for parks. Supervisor Bill Russell said we do, but it has been completely rewritten.

Mr. Jarrett said there is an agreement with Robertson Donald Park and Lake Cormorant Community Park. He said he looked over this with the Board Attorney there is a question about public use of the restrooms. Mr. Nowak said he looked over the agreement and the Board could approve it at the next meeting.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to table the consideration of the management agreement until a later date.

The motion passed by a vote as follows:

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

### **See Exhibit H.2**

County Administrator Vanessa Lynchard said that Supervisor Lee Caldwell has to leave the Board Meeting to attend a Broadband Conference and requested that item I.6.a be discussed.

See Item I.6.a

### **3. Environmental Services - Code Enforcement: PUBLIC HEARING**

#### **Assessment of Lien against Real Property pursuant to Mississippi Code Section 19-5-105 826 Crockett Loop Hernando, MS 38632 Parcel# 2 08 7 36 01 0 Lot #00101 00**

Supervisor Jessie Medlin made a motion to open the Public Hearing regarding the Assessment of Lien against Real Property pursuant to Mississippi Code Section 19-5-105 826 Crockett Loop Hernando, MS 38632 Parcel# 2 08 7 36 01 0 Lot #00101 00. Supervisor Bill Russell seconded the motion 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> Participated by phone
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>ABSENT</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

Environmental Services Manager Ray Laughter said this item was carried over from the February 3<sup>rd</sup> meeting.

Mr. Laughter said this property was found to be a health safety issue to the public and he presented the Order Assessing Property Cleanup Costs As Lien Against Real Property Pursuant to Miss Code Section 19-5-105; Real Property Information; two quotes for clean up a) Property Pro \$450 and b) Chandler's Turf Pro \$800; in addition to pictures before and after the cleanup.

Mr. Laughter said the property is going through foreclosure proceedings and the cost for cleanup is being assessed against the property, which will have to be paid with the real property taxes.

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve the costs for the cleanup of the property; to approve the Order Assessing Property Cleanup Costs As Lien Against Real Property Pursuant to Miss Code Section 19-5-105; and approve writing a check to Property Pro in the amount of \$480.

The motion passed by a vote as follows:

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

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve closing the Public Hearing regarding the Assessment of Lien against Real Property pursuant to Mississippi Code Section 19-5-105 826 Crockett Loop Hernando, MS 38632 Parcel# 2 08 7 36 01 0 Lot #00101 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> Participated by phone
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>ABSENT</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

### **See Exhibit H.3**

#### **4. Board Attorney: Greenbrook – Water Tower Park: Quit Claim and Board Order Conveying Property**

Board Attorney Tony Nowak presented a Quit-Claim Deed and Board Order authorizing the conveying of title to Water Tower Park to the City of Southaven.

The Board of Supervisors made a finding that the City of Southaven paid more than fair market value by mowing, cleaning and maintaining the grounds of the Park at a minimum of 32 days per year for 34 years at \$100 for each day. The City estimates the cost of gas, equipment, upkeep/replacement, repairs to fences and other ancillary expenditures at a conservative total of \$124,800.00 and as detailed in Exhibit H.4.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to approve the Quit-Claim Deed and Board Order authorizing conveying title to the Water Tower Park to the City of Southaven based on the findings as fully described in Exhibit H.4, and to authorize the Board President to sign the 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> Participated by phone
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>ABSENT</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.4

**I. NEW BUSINESS**

**1. I-69 / I - 260 Corridor Regional Marketing**

President and CEO of the DeSoto Economic Development Council, Jim Flanagan and North Delta Planning and Development District Representative, Jeff Walters appeared before the Board of Supervisors to discuss a unique and exciting marketing opportunity for the I-69 – I-269 Corridor. Mr. Flanagan said they want to begin looking at goals. He said the new marketing approach is tied to Tunica on the west and Marshall County on the east and follows the I-269 study prepared by Washington. Mr. Flanagan said this is a new branding strategy with this corridor and it will cost \$150,000. He said they are not asking for funding today. He said it is a proactive way to enhance and market Northwest, MS.

Mr. Walters said North Delta was brought in as part of the operation process. He said Tunica County, Marshall County and DeSoto County will need to be supportive and willing to go through the application process. A memorandum of understanding will need to be drafted. Mr. Flanagan said the same discussions are being held with the other parties today. Mr. Flanagan said this will put legs to the study and will allow them to move forward.

Supervisor Jessie Medlin asked if this is taxpayer money and would Marshall and Tunica County put money into it as well.

Mr. Flanagan said the goal is to search for funding. He said that the Delta Regional Utility Authority supports the project and they will do what they can to help. He said there is a lot of enthusiasm for the project. He said Delta Regional Utility provides water and sewer. He said federal funds may be available for the project.

Supervisor Mark Gardner asked if Marshall County and the Delta Regional Utility Authority are included in the DeSoto County footprint. Mr. Flanagan said yes. Supervisor Gardner thanked Mr. Flanagan and said he appreciated their work on this project. Supervisor Gardner asked Mr. Flanagan if the goal is to seek out funding with no local funds right now. Mr. Flanagan said yes.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to approve moving forward with the Regional Marketing Plan for the I-69 – I-269 Corridor including DeSoto County, Tunica County and Marshall County; seek out funding of \$150,000 initially; to approve applications for grants or other mechanisms; and to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to work with attorneys for Tunica and Marshall Counties on a memorandum of understanding and to handle documentation related to 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> Participated by phone
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>ABSENT</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit I.1

**2. DeSoto County Animal Services 10<sup>th</sup> Annifursary Update**

Animal Services Director Monica Mock presented statistics from the 10 year anniversary event at the Animal Shelter. Ms. Mock showed a PowerPoint presentation which included the following statistics:

**10<sup>th</sup> Annifursary Adoption Event**  
February 22<sup>nd</sup> 2014

People	104
Animals	71

Tours	21
Adoptions	9
Heartworm Test	21
K9 Vaccination	38
Feline Vaccinations	17
Rabies Vaccinations	34
Micro Chip	38
Felk/Fiv Test	5

Supervisor Mark Gardner said it was a great event.

County Administrator Vanessa Lynchard said there were several volunteers and she wanted to thank everyone for helping make the event a success.

Ms. Mock said six dogs and three cats were adopted. She thanked Ms. Lynchard, Supervisor Lee Caldwell, Pat McLeod and Karen McNeil for their help.

Ms. Lynchard said this is another great example of service to our community. She said a senior citizen had a dog and could not afford the vaccinations at the vet. The person was able to get their dog vaccinated. There were several other people in similar situations. It was a great service to the community. Ms. Lynchard said the volunteers and employees worked hard and still had a smile on their face.

Supervisor Harvey Lee said he would like to thank everyone as well.

Supervisor Gardner said that Facebook had very good posts. He said he received an email last night from someone wanting to adopt a cat.

Supervisor Jessie Medlin asked if this is the event that provides spay and neuter. Ms. Mock said they were supposed to be here but the bus was cancelled due to weather. Supervisor Medlin asked if the Shelter is filled right now. Ms. Mock said it does get full at certain times of the year but right now it is okay. She said the floors have been redone and they look great. She said the new floors are also easier to keep clean. Sheriff Bill Rasco said some of the inmate trustees helped clean and he asked how they did. Ms. Mock said they helped a lot and did a very good job.

Ms. Lynchard said that Facilities Director Tony Martin worked until he found a way to keep the paint from chipping on the floors and on part of the walls. They have to use a power wash to keep it clean especially when an animal is sick. She said that Mr. Martin used epoxy on the floors and walls. It looks very nice and the paint will last a lot longer.

**3. Human Resources Dept.: Amendment to Plan Management Agreement – Board President to Sign**

County Administrator Vanessa Lynchard said this document is an annual agreement.

Supervisor Jessie Medlin asked for clarification of “client”. Board Attorney Tony Nowak said the client is the county. Humana has the ability to renegotiate with providers to get bigger discounts.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the Amendment to Plan Management Agreement and to have the Board President sign the agreement and to make it part of the Board Minutes.

The motion passed by a vote as follows:

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

**See Exhibit I.3**

#### 4. Office of Procurement

##### a. Sheriff's Dept.: Purchase exceeding \$25,000 – 4 vehicles

Sheriff Bill Rasco said his department is switching to Chevrolet Impalas. He said this purchase will replace four Crown Vics being used on patrol. The Crown Vics have 50,000 miles on them and have hail damage.

Supervisor Mark Gardner said we used to get good used ones for \$12,000. Sheriff Rasco said yes we did.

Sheriff Rasco said he has no experience with the new dealer but his office has have talked to other agencies that have good experience with them. Three of vehicles already have police packages. Sheriff Rasco said the vehicles get fairly decent gas mileage.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve purchasing four, 2014 Chevrolet Impalas for a total of \$78,380.00 as fully detailed in Exhibit I.4.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> Participated by phone
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>ABSENT</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit I.4.a

##### b. Bids Under Advisement: Skid Steer

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to reject all bids and to rebid one or more rubber track skid steer related to bid file number 14-156-022 and as fully described in Exhibit I.1.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> Participated by phone
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>ABSENT</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit I.4.b

##### c. Re-Bid of County Depository

Chief Financial Officer Tom Arnold said the county depository was rebid and we received seven bids and he read the following bids:

<b>FOR TWO YEAR BID</b>	<b>First Tennessee</b>	<b>Bank Plus</b>	<b>Trustmark</b>	<b>BancorpSouth</b>	<b>DeSoto Bank</b>	<b>Citizens National Bank</b>	<b>First Security</b>	
<b>For Investment</b>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
<b>Demand Deposit</b>								
<b>Non-Interest Bearing Checking</b>								
Monthly Fee	\$20/acct	\$8/acct	\$15/acct	N/A	<b>INVESTMENTS ONLY</b>	<b>INVESTMENTS ONLY</b>	<b>INVESTMENTS ONLY</b>	
Debit Fee	\$0.18/item	\$0.20/item	\$.16/item	N/A				
Items Deposited Fee	\$0.1475/item	\$0.10/item	\$.11/item	N/A				
Deposited Items Returned Fee	\$16/item	\$5/item greater than \$20	\$7.00/item	N/A				
Other Fees	included in sample analysis			N/A				
<b>Interest Bearing Checking</b>								
Monthly Fee	N/A	\$8/acct	\$15/acct	\$1,350/acct				
Debit Fee	N/A		\$.16/item	N/A				
Items Deposited Fee	N/A	\$0.10/item	\$.11/item	N/A				
Deposited Items Returned Fee	N/A	\$5/item greater than \$20	\$7.00/item	N/A				
Interest Rates	.20%	0.10%	0.15%	0.10%				
Interest Rates	over \$9.5M .12%							
Is interest rate variable or	Fixed	Fixed	Fixed	Fixed				
When does the interest rate	2 yr	2 yr	2 yr	2 yr				
Balance Required to Offset All	N/A	N/A	N/A	\$13,500,000				
Other Fees	N/A		Deposits \$.30					
<b>1. Direct Deposit of</b>								
Set Up Fee	N/A	N/A	N/A	N/A				
Pre-Notification Fee	N/A	N/A	N/A	N/A				
<b>Transaction Fees:</b>								
Debit	\$ 0.13	\$0.20	\$.10/item	N/A				
Credit	\$ 0.13	N/A	\$.10/item	N/A				
File Fee	N/A	N/A	\$25 max/mo.	N/A				
Returned Item Fee	\$ 5.50	N/A	\$6.00	N/A				
Notification of change	N/A	N/A	\$1.50/item	N/A				
Monthly fee	N/A	N/A	\$15.00	N/A				
Other Fees	included in sample analysis	N/A	N/A	N/A				
<b>2. Automated Balance Reporting via PC</b>								
Set Up Fee	N/A	N/A	N/A	N/A				
Communications Software	N/A	N/A	N/A	N/A				
Monthly Fee	N/A	N/A	\$35.00	N/A				
Covers how many accounts?	N/A	N/A	1	N/A				
Additional Accounts Fee	N/A	N/A	\$5.00	N/A				
Other Fees	N/A	\$5.00 token fee	per trans.	N/A				
<b>3. Sweep Account Using Repurchase Agreement</b>								
Comparable Account Rate	N/A	N/A	N/A	N/A				
Current Interest Rate as of	N/A	N/A	0.10%	N/A				
When do rates change?	N/A	N/A	N/A	N/A				
Standard Rate	N/A	N/A	N/A	N/A				
How much in relation to this	N/A	N/A	N/A	N/A				
Monthly Sweep Fee	N/A	N/A	\$150.00	N/A				
Minimum Balance Required	N/A	N/A	N/A	N/A				
Account Charges:	N/A	N/A	N/A	N/A				
Monthly Fee	N/A	N/A	\$15.00	N/A				
Debit Fee	N/A	N/A	\$0.16	N/A				
Items Deposited Fee	N/A	N/A	\$0.11	N/A				
Deposited Items Returned Fee	N/A	N/A	\$7.00	N/A				
Other Fees	N/A	N/A	N/A	N/A				
<b>4. Misc. Bank Services</b>								
Cost of Printed Deposit Slips	Duplicate \$50.31 (200 slips)	\$47.28 for 200 triplicate slips	variable per vendor	N/A				
Wire Transfers	\$11/wire	Incoming \$15/wire Outgoing free	\$20/wire	N/A				
Stop Payment Fee	\$31/item	\$36/item	\$36.00	N/A				
Additional Account Statements	mo/plus \$3.00 per check	N/A	\$2.00	N/A				
Official Checks	\$8.00/check	\$5.00	\$7.50	N/A				
Return Deposit Charge	\$16.00/item	\$5.00/>\$20	\$7.00	N/A				
Other Fees	included in sample analysis	N/A	N/A	N/A				
<b>6. Credit Cards</b>								
<b>(For county receiving funds via credit card payments from customers)</b>								
Set Up Fee	See Elavon Attachment	\$25.00	\$100.00	N/A				
Transaction Fees		3%	2.65%+.19/item	N/A				
Machine Charges/Fees		\$350/terminal	\$798.00/unit	N/A				
Monthly Fees		None		N/A				
Software Charges				N/A				

**RECOMMENDATION: Accept First Tennessee as main depository and all seven banks as a county depository. First Tennessee states that monthly charges will never exceed \$1,900, or .2% of \$9,500,000. This bid is valid for two years beginning April 1, 2014.3**

03/03/2014

H.L.

Mr. Arnold said First Tennessee and Bancorp South were the best two bids. First Tennessee was the best overall because of the interest rate and no fees. First Tennessee states that monthly charges will never exceed \$1,900, or .2% of \$9,500,000. Mr. Arnold said that Bancorp South also charges a fee but First Tennessee pays twice as much interest; therefore, First Tennessee is the best bid for county depository.

Mr. Arnold said some of the banks did not receive the bid packet that was sent out by mail. He said the county can move money to any of the seven banks.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to approve First Tennessee as the main depository for the county due to better interest rates and lack of fees; and approve all seven banks as a county depository as detailed bid number 14-121-003 in Exhibit I.4.c.

The motion passed by a vote as follows:

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

**See Exhibit I.4.c**

## **5. Office of Finance and Accounting**

### **a. Grants Administrator**

#### **1) Acceptance of MDEQ Allocated funds for Environmental Services**

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve accepting the one time MDEQ grant funds in the amount of \$19,560.00 allocated for Environmental Services for the salary of the Solid Waste Officer on staff; with a county match of 50% from the current budget and for the county to provide quarterly reports for reimbursement.

The motion passed by a vote as follows:

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

**See Exhibit I.5.a.1**

#### **2) Approval to apply for MDEQ funds for Household Hazardous Waste Day**

Supervisor Bill Russell asked if we needed to ask cities to participate financially. Environmental Services Manager Ray Laughter said they are sending people to help but no money.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve applying for the MDEQ fund for Household Hazardous Waste Day to benefit Environmental Services in the amount of \$34,445.76 for one time funding and the county match of 25% in the amount of \$11,481.93 from the current county budget; and authorize the Board President to sign the 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> Participated by phone
Supervisor Bill Russell, Third District	<u>YES</u>



Supervisor Jessie Medlin asked about the following claims:

Page 69 – Clearwater Packaging for Guardian Vacuum Bags for prisoner’s clothes \$2,000 plus \$215 for shipping. He said that is 10% for shipping. Supervisor Medlin confirmed that the money comes from the inmate canteen fund. Mr. Arnold said yes, the shipping is high and confirmed the cost of the bags and shipping comes from the inmate canteen fund.

Page 51 – FleetCor Technologies - \$4,430.42. Mr. Arnold said that is for the Fuelman Credit Card.

Page 35 – Region IV Mental Health - \$780.00. Sheriff Bill Rasco said that Region IV does background checks when they are doing evaluations for the Sheriff’s Department.

Page 19 – James D. Franks - \$3,000. Mr. Franks handles lunacies and pro se cases in the Chancery Court. This is paid monthly.

Supervisor Gardner presented Supervisor’s Caldwell’s questions in her absence as follows:

Page 6 – Tax Collector – Supervisor Gardner and Supervisor Caldwell. Mr. Arnold said these are keying errors and they will be removed.

Page 10 - \$2,030.00 – Mr. Arnold said this is an unemployment claim from Facilities Management for one of the housekeepers when we outsourced the cleaning service. Ms. Lynchard said this person is now working for the provider of the cleaning service and this claim should end.

Page 11 - \$1,457.37 – This is for the cost of filling up a propane tank at the Sheriff’s Office.

Supervisor Mark Gardner asked the following questions on his own behalf:

Page 84 - \$30.00 – MAS Magazine. Mr. Arnold said that is for various renewals in the county. He said the Board of Supervisors subscriptions are free but they charge other departments who buy a subscription.

Page 9 – Carahsoft Technology - \$479.79. Mr. Arnold said this is a software maintenance agreement for GIS.

Page 13 – Memphis Restaurant Supplies - \$88.60. Mr. Arnold said this is for various restaurant supplies for Facilities Management. Facilities Management Director Tony Martin said these are replacement parts for the kitchen at the jail the ice machine etc.

Page 14 and 15 – Government Connection – IT Director is buying desktop printer cartridges in bulk. Supervisor Gardner encouraged all county employees to use network printers to help reduce the costs of cartridges.

Page 27 – Vista Americorps Project. Mr. Arnold this is grant money used to pay for mentoring young people. The county bought office supplies and the grant money is a pass through. This young man has gone back to school but we may get another young person on the program.

Page 62 MDA – This is a loan payment on the CVB for the DeSoto County Welcome Center. They are reimbursing the county.

Ms. Lynchard said the 2% tourism tax receipt for the month is up but it is still lower than last year. She said she had been working with the State Department of Revenue to be sure the full amount of taxes is being disbursed to the County.

Mr. Arnold said the bulk of tax collections come in January.

Supervisor Lee Caldwell rejoined the meeting by telephone.

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

corrections as follows: page 35 for decals which should be \$500 instead of \$235; and page 88 Bancorp South was entered twice for debt service for the Walls Sewer bonds and should be \$1,530 instead of \$3,060 for a total docket amount of \$6,194,270.15.

The motion passed by a vote as follows:

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

## 6. County Administrator

### a. CEMAQ Project: MDOT Letter and Resolution Acknowledging Participation

Supervisor Jessie Medlin asked County Administrator Vanessa Lynchard where the money is coming from for this project. Ms. Lynchard it is coming out of Air Quality.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the letter and resolution of support confirming support of this project, from the DeSoto County Board of Supervisors written to Ms. Melinda McGrath, P.E., Executive Director of the Mississippi Department of Transportation related to Local Congestion Mitigation and Air Quality Program; with the county understanding that this project will include the following features presented on January 2, 2014 to city and county officials:

- Installation of buried fiber optic cable and other data communication networks,
- Traffic surveillance cameras,
- Data collectors,
- Dynamic message signs,
- Traveler information kiosks,
- Connecting and optimizing signals,
- Upgrading signal controllers and software as required, and
- Active Traffic Signal Management for a two-year period.

And as a result, DeSoto County will not submit an application for funding in response to the call for projects distributed in Sept., 2013; the county is in full support of this 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> Participated by phone
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u> Participated by phone
Supervisor Harvey Lee, Fifth District	<u>YES</u>

### See Exhibit I.6.a

### b. County Policies

#### 1) Smoking Policy Amendment

County Administrator Vanessa Lynchard said this policy is in reference to smoking in county buildings. Ms. Lynchard said that electronics cigarettes are not covered in the current policy and she would like to work with the Board Attorney and Rex Haynes to gather more information and work toward amending the smoking policy.

Sheriff Bill Rasco said they are selling electric cigarettes to inmates in the jail. He said it has helped minimize fighting.

Supervisor Bill Russell said he would like more information. He said he would like to know if the smoke affects others being exposed to the smoke.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded to table the smoking policy amendment in order to get more information.

The motion passed by a vote as follows:

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

Human Resources Director Janna Rogers said there are vapors that are emitted and it is nicotine and has aspects equivalent to nicotine.

- 2) **Advertising County Resources Committee Policy** – This item was deleted from the Agenda.

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

County Administrator Vanessa Lynchard said there is an opportunity to hire two senior citizens. They would work part time with no benefits and it is minimum wage.

Ms. Lynchard said the Board Attorney needs to review the agreement from North Delta.

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 review the Host Agency Agreement for Senior Employment from North Delta and to approve the agreement contingent upon Mr. Nowak's review.

The motion passed by a vote as follows:

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

**See Exhibit I.6.c.a**

**7. Road Department: Finding of Fact**

**a. 5171 Robertson Gin Road**

Road Manager Andy Swims said that this culvert is completely collapsed causing water to run onto the road and back into the ditch. Mr. Swims showed pictures of the road, collapsed culvert and ditch. He said replacing the culvert would solve the problem with water on the road.

Supervisor Jessie Medlin said he thought loggers left the ditch in a mess. Supervisor Harvey Lee said they cleaned it out before he could get down there to talk to them. Supervisor Lee said he and Mr. Swims looked at the pipe and it is collapsed.

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to accept the finding of fact and that the conditions at 5171 Robertson Gin Road 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 replace the driveway culvert to resolve the situation at an estimated cost of \$735.00; 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 \$735.00.

The motion passed by a vote as follows:

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

**See Exhibit I.7.a**

**b. Just North of 678 Baldwin Road South (Peggy Busby – Property Owner)**

Road Manager Andy Swims said they have been checking on this issue to see how it is affecting the road. There is a lot of flooding; the pipe needs to be replaced to drain more adequately and stop the flooding. He presented pictures of the area.

Supervisor Jessie Medlin asked if they will be taking out trees. Mr. Swims said yes, and doing work in the ditch and working off of right of way to solve the problem.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to accept the finding of fact and that the conditions just north of 678 Baldwin Road South owned by Peggy Busby where flooding has occurred 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 clean ditches and replace the driveway culvert to resolve the situation at an estimated cost of \$8,685.77; 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 \$8,685.77.

The motion passed by a vote as follows:

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

**See Exhibit I.7.b**

**8. Board Attorney**

**a. Request Authorization to work on Economic Development Opportunity**

Board Attorney Tony Nowak said he met with Demery Grubbs and Jim Flanagan regarding an economic development opportunity for the county.

Supervisor Jessie Medlin said he would like to see more scenarios and how it could be beneficial before they get too far in to anything. He said he would like for them to get different options and bring them to the Board.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve hiring the Smith, Phillips, Mitchell, Scott and Nowak Law Firm gather more information regarding the economic development opportunities, and mechanisms and to bring a report 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>YES</u> Participated by phone
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u> Participated by phone

Supervisor Harvey Lee, Fifth District

YES

Supervisor Mark Gardner said he is concerned about time and legal fees.

Mr. Nowak said there are different levels that MDOT needs, and he could not give an estimate for cost or time because he does not know what is already out there.

Supervisor Bill Russell said none of us want to put another entity in a position to raise county taxes. He said he hoped those options will clarify what the Board needs to know. He said he is not ready to spend money yet.

Supervisor Medlin said if we do anything, this legislative session ends by the end of this month.

Mr. Nowak said he polled several other counties to identify various options that may be available.

#### **b. Aerial Photography MOU with MDOT**

Mr. Nowak said that MDOT would like to buy aerial photography from the county and presented an MOU. He said they do not want to change the agreement and they will pay up to \$10,000. Mr. Nowak said he asked them for a minimum amount but they will not commit. As written, the agreement does not obligate MDOT to pay any amount. He said that MDOT asked him to present the MOU to the Board as is.

Ms. Lynchard said the county has already paid for the aerial photography property and anything is better than nothing.

Supervisor Bill Russell said he would like to get a feeling for what they are worth.

Supervisor Mark Gardner said, didn't we share this with Tunica. Mr. Nowak said yes but MDOT does not want to participate with Tunica at that time. Supervisor Gardner asked if the photography was on the web site. Mr. Nowak said MDOT wants to purchase different levels of photos. Supervisor Gardner said he likes good partnerships and would like to share this with them to be a good partner.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve offering MDOT the documents for up to \$10,000.

Supervisor Bill Russell withdrew the motion and Supervisor Jessie Medlin withdrew the second to the motion.

Supervisor Medlin said that Mr. Nowak has done all he can do. He said MDOT should tell us how much they will pay us.

Supervisor Caldwell said she would like to talk with Melinda McGraffe first.

Ms. Lynchard said that GIS Director Matt Hanks was at a GIS conference in Jackson and they discussed the matter. She said that USGS and MDOT would pay \$10,000 each and UASI would pay \$20,000.

GIS Director Matt Hanks entered the Board Meeting. Ms. Lynchard asked Mr. Hanks who he talked to at the conference.

Mr. Hanks said he talked to Michael Cresap, Transportation Director at MDOT. Mr. Cresap coordinated the efforts of aerial photos given to GIS by USGS. He said this is the first he has heard that we would not get full funding. He said other counties have received \$10,000 from MDOT. Mr. Nowak said MDOT's counsel will not commit to any amount.

Mr. Hanks said usually MDOT is involved on the front end but this year MDOT came in midway. Then Board Attorney Jody Neyman became involved.

Supervisor Jessie Medlin asked Mr. Nowak if MDOT is waiting on the mou and if they wanted to make changes. Mr. Nowak said the agreement needs to be signed before MDOT will make any payments.

Supervisor Medlin asked what they want. Mr. Hanks said the imagery was acquired last year so they do not have to pay full price.

Supervisor Lee Caldwell requested tabling the issue until after lunch.

Road Manager Andy Swims said he would be talking to Melinda McGrath and Mike Taggart about Hwy. 304 and 301. He said he would like to talk to MDOT before they have their discussions. He is getting the information together for the next Board Meeting.

Supervisor Lee Caldwell asked the costs. Mr. Swims said basically it involves right of way, utility relocation, pavement conditions etc. Mr. Swims said it is a lot to think about.

The Board agreed to discuss it again after lunch.

Later in the meeting, Mr. Nowak said he had Mr. Neyman send an email to MDOT's attorney during lunch asking for clarification. In response, Mr. Cresap confirmed that during lunch and the county would receive \$10,000.

Supervisor Lee Caldwell said Mitch Turner told her he could work it out.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the mou financing aerial photography services between the Mississippi Transportation Commission and DeSoto County as detailed in Exhibit I.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> Participated by phone
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u> Participated by phone
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit I.8.b**

## **J. EXECUTIVE SESSION**

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

## **K. Other Items – MEMA Training Seminar**

Planning Director Ted Garrod said that MEMA contacted him regarding flood protection. They requested space for 60 people with an internet connection. Mr. Garrod said the options are the Landers Center or the Gale Center. Mr. Garrod said the Gale Center produced a contract at no charge. He said it is typical that if you do not clean up the area, the deposit is forfeited. Mr. Garrod said there may be an opportunity to use the Library.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to authorize Planning Director Ted Garrod to work on a contract with the Gale Center for use of the building for a MEMA Seminar on March 26<sup>th</sup> and to use trustees to clean the area after the seminar.

The motion passed by a vote as follows:

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

Supervisor Harvey Lee, Fifth District

YES

Supervisor Harvey Lee said that MDOT is black topping Hwy 51 to the city limits.

Supervisor Lee Caldwell said there is a Broadband meeting in Washington and asked the County Administrator to speak with the head people.

THIS the 3<sup>rd</sup> day of March, 2014, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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Harvey Lee, Vice President  
DeSoto County Board of Supervisors