

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

**DISTRICT THREE BILL RUSSELL, PRESIDING**

**May 18, 2015**

**A. CALL TO ORDER**

The May 18, 2015 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Bill Russell, Board President.

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

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

**B. INVOCATION**

Supervisor Lee Caldwell presented the invocation.

**C. PLEDGE OF ALLEGIANCE**

**D. CITIZENS REMARKS & PRESENTATION**

**1. Lewisburg Middle School National Jr. Honor Society Students touring the Administration Building and the Courthouse**

Supervisor Michael Lee welcomed the Lewisburg Middle School children, teachers, coaches and chaperones that were here today to tour the Administration building and the Courthouse.

**2. DeSoto County EMS Provider of the Year**

Director of EMS Fiodor Baraniuk said May 17-22 will be nationwide EMS week and about a month ago he sent an email to all the EMS crews asking them to nominate someone from within the EMS department as “DeSoto County EMS Provider of the Year”. Mr. Baraniuk noted even though all of our medics are great and do an exceptional job to serve our community he wanted to give recognition to that one exceptional individual. He asked for the following criteria when nominating their peer:

**Criteria:** Nominees will be considered based on the following criteria. Your nomination statement should include information on how the nominee:

- Provides superior patient care;
- Is an effective advocate for patients and their families;
- Works with peers to foster a positive work environment;
- Demonstrates professionalism in interacting with patients, their families and other medical professionals;
- Demonstrates professionalism and positive relationship with other first responder agencies;
- Demonstrates his/her commitment to continuing professional education; and

- Any other relevant information provided in support of the nominee.

Mr. Baraniuk said the person who was voted among his peers as “DeSoto County EMS provider of the Year” was Paramedic James Sanderson.

Mr. Baraniuk read some excerpts from what people sent him regarding Mr. Sanderson:

"Fiodor, ... I would like to take a moment and nominate my own partner for the EMS Provider of the year.

... I have seen him countless times be an advocate for his patient. No matter the time of day/night or what kind of mood we are in, the patient sees the same concerned, caring medic who is willing to take all the necessary steps to provide the best care available. James Sanderson has taken me under his wing and shown me what it takes to be a good medic this past year.

... He has always made me feel comfortable about performing duties and he has made a great effort to steer me in the right direction while giving me the freedom to learn. He is always willing to go over a call with me (or any other medic) so that we can learn how to do our job more efficiently.

... He likes to ask questions of doctors and nurses in the hospital so that he can learn more about a patient's condition and how to take a different approach in the future. He is never afraid to take charge on a scene if necessary and when he speaks, his reputation precedes him, and people listen.

... He is a lot of fun to work with and I consider myself fortunate to have him as a partner. I don't nominate him just because, either.

... I don't think we have a more deserving medic in the county."

Mr. Sanderson was presented with a plaque from the Board of Supervisors.

### **3. Buena Vista Subdivision - Issuance of Permits**

Buena Vista Home Owners Association (HOA), Vice President Teri Rowell appeared before the Board of Supervisors expressing concerns the residents in Buena Vista have regarding how the County has started issuing building permits. She gave an example of a homeowner that was granted a building permit for a structure that did not meet the HOA guidelines. She said when she approached the homeowner regarding the violation he said he had a permit from the County. Mr. Rowell contacted the County Attorney and former Planning Director Ted Garrod who stated the County could not enforce subdivision covenants.

Ms. Rowell said she this philosophy isn't good for citizens or the County economically. She said in the past the Planning Department would require the homeowner to obtain approval for the HOA prior to issuing a building permit. Now the only recourse a HOA has is to take the homeowner to Justice Court. She said HOA's are not financially able to do this on a regular basis.

Supervisor Jessie Medlin said he wasn't aware they had stopped doing it the old way.

Supervisor Bill Russell said he wasn't sure if the old way was really the right way.

Board Attorney Tony Nowak stated by state law if a person comes in and meets all the required County guidelines then Planning has to issue a building permit. Mr. Nowak said it would be a violation of the law to hold up a permit while someone checked with the HOA.

Supervisor Russell said the Board has been working on these issues for the past three years. He stated currently there is no law on the books that regulate HOA. He said DeSoto County has presented a law to the Legislature but they have not moved on it.

Supervisor Mark Gardner asked if this was a permitted structure. Building Inspector Randy Williams and Interim Planner Ashley Hendricks confirmed the structure was properly anchored and sized correctly. Mr. Williams said it met all of the County's criteria. Ms. Rowell said it did not meet their criteria. The materials and colors would have been considered.

Supervisor Lee Caldwell asked Ms. Rowell if buyers receive a packet from the HOA when they move into the subdivision. Ms. Rowell said yes each new homeowner receives a visit from the welcoming committee along with a packet that highlights some frequently asked questions.

Supervisor Russell thanks Mr. Rowell for coming before the Board and would like to share the form and information she presented to the committee this summer. He said he appreciated her information and would definitely keep in touch with her.

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

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

1. Supervisor Mark Gardner requested adding the following item to the Agenda.

**a. Appointment to Recreation District**

Supervisor Mark Gardner said Ms. Peggy Linton has stepped down as District 2 representative of the Recreational District.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to appoint Ms. Anna Dickerson to the Recreational District Commission representing District 2 replacing former appointee Peggy Linton.

The motion passed by a vote as follows:

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

**b. Authorize Travel to Jackson for MS Dept. Corrections Oversight Task Force**

Supervisor Mark Gardner stated Derrick Surette called a MS Department Corrections Oversight Task Force Committee meeting May 27, 2015. He said he received a letter from Marshal Fisher inviting him to attend the meeting. He's asking the Board to approve overnight travel and meals.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve traveling expenses for Supervisor Mark Gardner to attend the Ms. Dept. of Correction Oversight Task Force in Jackson, MS on May 27, 2015.

The motion passed by a vote as follows:

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

2. Sheriff Bill Rasco requested adding the following items to the Agenda.

**a. Land Acquisition**

This item was later determined to qualify for executive session.

**b. Personnel**

Sherriff Bill Rasco said in light of the recent spike in crimes in the County he would like to request funding for hiring additional deputies.

Supervisor Lee Caldwell said we first have to see where we can get the additional money.

3. Supervisor Bill Russell requested adding the following item to the Agenda.

**a. North Delta PPD Food Program**

Supervisor Russell said there had been a program in Southaven and it was disbanded because no one would come out and participate. North Delta said they still have money in the budget for this program and will start to serve meals June 1, 2015 at Dorchester apartments and on October 1, 2015 at Sacred Heart.

Supervisor Russell said anyone is eligible to come and receive one meal a day five days a week and they have openings for 25-30 participants. He said NDPPD will set up and clean up.

4. Board Attorney Tony Nowak requested adding the following items to the Agenda.

**a. Litigation - Morgan versus DeSoto County**

This item was later determined to qualify for executive session.

**b. Robertson Donaldson Park Contract New Management**

Board Attorney Tony Nowak stated the Recreation District would like to secure a management agreement with John Willoughby with Old South Sports, LLC to manage Robertson Donaldson Park , which includes scheduling tournaments and field use by ball teams and performing the needed ongoing maintenance at no cost to the county. Mr. Nowak said they can sell concessions but the money the make must go back into the maintenance of the park.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve a management agreement with John Willoughby with Old South Sports, LLC to manage the Robertson Donaldson Park, schedule tournaments, schedule ball teams and perform the needed ongoing maintenance at no cost to the county.

The motion passed by a vote as follows:

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

Board Attorney Tony Nowak requested deleting item G.2 from the Agenda.

3. County Administrator Vanessa Lynchard requested adding the following items to the Agenda:

**a. Liability Insurance Contract - SouthGroup Invoices**

Chief Financial Officer Mr. Tom Arnold stated he received the invoices for the renewal of the county’s liability insurance for the next year, it renews May 22nd. Per Sarah’s request, he would like to go ahead and pay it, but the claims docket was already done and checks printed so he must present this as a late bill. The invoices attached are as follows:

Invoice 69327	Equipment Breakdown	\$ 8,847.00
Invoice 69328	Property coverage	\$ 169,911.00
Invoice 69329	Auto liability & physical damage	\$ 160,139.00
Invoice 69330	Law Enforcement Liability	\$ 247,718.00
Invoice 69330	Public Entity Mgt. Liability	\$ 16,994.00
Invoice 69330	Employment Practices Liability	\$ 46,513.00
Invoice 69330	General Liability/Employee Benefits Liability	\$ 46,163.00
Invoice 69330	Loss Control Fee	\$ 10,000.00
Invoice 69331	Cyber Liability	\$ 4,705.00
Invoice 69332	10 million earthquake coverage	\$ 25,000.00

Invoice 69332	Surplus Lines Tax	\$ 1,000.00
Invoice 69332	MS Wind Pool	\$ 750.00
Invoice 69332	Stamping Fee	\$ 62.50
Invoice 69333	7.5 million earthquake coverage	\$ 25,000.00
Invoice 69333	Surplus Lines Tax	\$ 1,000.00
Invoice 69333	MS Wind Pool	\$ 750.00
Invoice 69333	Stamping Fee	\$ 62.50
Invoice 69334	30 million earthquake coverage	\$ 25,000.00
	TOTAL	<u>\$ 789,615.00</u>

Mr. Arnold said these premiums match the quotes that we were given in April. Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve Chancery Clerk to paying the late bills for SouthGroup as presented by Mr. Arnold in Exhibit E.3.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 Michael Lee, Fifth District	<u>YES</u>

**See Exhibit E.3.a**

**b. Election Worker Payments**

Chief Financial Officer Mr. Tom Arnold stated he received the election workers payment sheets for the May 12<sup>th</sup> special election from the election commissioners May 15<sup>th</sup>, so he did not get them in time to put them on the claims docket. Mr. Arnold asked to expedite the payments to the workers, and requested that the board approve the payments to them and so he may prepare the checks as required. He said the total for all the workers is \$20,955.00.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve Chancery Clerk to pay the Election Workers for the May 12, 2015 special election in the amount of \$20,955.00

The motion passed by a vote as follows:

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

**See Exhibit E.3.b**

**c. Request to Place Blues Marker for Jim Dickinson at the Hernando Library**

Supervisor Bill Russell introduced Ms. Heather Lawson, with the Hernando Public Library.

Ms. Lawson said the DeSoto County Tourism and First Regional Library would like approval from the Board of Supervisors to place a Mississippi Blues Trail marker on the Hernando Library site honoring James Luther “Jim” Dickinson, a pioneering musician and music producer.

Ms. Lawson said telling the story of our local bluesman, Jim Dickinson, is not only important to this community, but also to our Country. We feel it is important to promote authentic Mississippi blues music and culture for purposes of educational and economic development. She thanked the Board for taking the time to consider this request.

Supervisor Mark Gardner said DeSoto County Tourism will pay for the marker and the Mayor has

approved.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve placing a Mississippi Blue Trail marker on the east side of the Hernando Public Library honoring James Luther “Jim” Dickinson.

The motion passed by a vote as follows:

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

**See Exhibit E.3.c**

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

The motion passed by a vote as follows:

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

**F. CONSENT AGENDA**

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

**1. Office of Finance & Accounting**

**a. Budget Amendments**

DeSoto County, Mississippi BUDGET AMENDMENT REQUESTS FOR BOS MEETING ON MAY 18, 2015					
(1)	FOR FACILITIES MANAGEMENT				
ACCT #	LINE ITEM	ANNUAL BUDGET	INCREASE	DECREASE	NEW ANNUAL BUDGET
001-151-404	Office clerical	31,814	3,006		34,820
001-151-430	Maintenance/service employees	10,930		4,710	6,220
001-151-440	Part-time employees	2,000	1,000		3,000
001-151-465	retirement	60,770	474		61,244
001-151-466	social security	29,670	230		29,900
	TOTALS	135,184	4,710	4,710	135,184
Reason for Request:	To correct the budget for line item 404. The employee was adjusted during the 2014 fiscal year but the salary was not adjusted when the 2015 fiscal year budget was set. Line item 404 is adjusted to correct to the proper amount.				
Requested by:	Bob Jarman				
(2)	ADULT DRUG COURT				
ACCT #	LINE ITEM	ANNUAL BUDGET	INCREASE	DECREASE	NEW ANNUAL BUDGET
026-244-919	Furniture/Office Equipment	30,000		1,000	29,000
026-244-542	Vehicle Repair and Maintenance	3,000	1,000		4,000
	TOTALS	33,000	1,000	1,000	33,000
Reason for Request:	Needed repairs to Dodge Charger after collision with raccoon. (Paid out of the fees paid by the participants, not county tax funds)				
Requested by:	Craig Sheley				
(3)	FOR ROAD MANAGEMENT				
ACCT #	LINE ITEM	ANNUAL BUDGET	INCREASE	DECREASE	NEW ANNUAL BUDGET
156-300-402	Deputies/Asst. managers	300,000	55,000		355,000
156-300-420	Road Employees	1,063,750		55,000	1,008,750
	TOTALS	1,363,750	55,000	55,000	1,363,750
Reason for Request:	To correct the budget for line item 402. One employee was promoted in November, 2014 and should have been moved to line item 402. This amendment is just to move the person from line item 420 to 402, the total budget did not increase. This will make the budget match the actual salaries. This is the change mentioned by Andy in his memo to you.				
Requested by:	Andy Swims				
(4)	FOR DHS-ECONOMIC ASSIATANCE				
ACCT #	LINE ITEM	ANNUAL BUDGET	INCREASE	DECREASE	NEW ANNUAL BUDGET
001-450-587	Training and registration	250		250	0
001-450-594	Other contractual	1,000	725		1,725
001-450-645	Custodial supplies	250		175	75
001-450-919	Furniture/Office Equipment	1,500		300	1,200
	TOTALS	3,000	725	725	3,000
Reason for Request:	To adjust line item 594 for the installation of new phones in the building.				
Requested by:	Tammi Crawford				

**b. Authorize Payment for Veterinarian Students for Lodging and Reimbursement of meals for Spay and Neuter Services at the Animal Shelter: June 11 and 12th, 2015**

Department of Finance & Accounting  
DeSoto County Administration Building ∞ 365 Loshier Street, Suite 320 ∞ Hernando, MS 38632  
Ph: (662)469-8001 ∞ Fax: (662)469-8275

May 18, 2015

MEMORANDUM

TO: Board of Supervisors

FROM: Tom Arnold

SUBJ: Payment for Veterinarian Students

On June 11th and 12th, 2015, a group of veterinary students and instructors will be here to do spay and neuter procedures on animals at the animal shelter. As part of the agreement, the county agrees to pay for their lodging and reimburse the doctor in charge for their meals. We have reserved four motel rooms at the Super 8 Motel here in Hernando for the staff to stay in and the total cost is \$279.80. So we request that the board approve writing the check to pay for the rooms so they can take the check to the motel at check-in time. The meals will be reimbursed after the stay when the doctor presents us itemized receipts of what was paid.

There is no other charge to the county for their services. This is the same procedure that we used the last time the

students were here earlier in the year.

Thank you for your consideration.

## 2. Office of Procurement: April, 2015 Procurement Card Purchase

April 2015

PROCUREMENT CARD LOG SHEET  
CARD NUMBER: 4715 6215 8600 0011

Date Out	Time Out	Time In	Vendor	Department	Employee	Description of Purchase	TOTAL RECEIPT	Issues, if any	
4/8/2015	1:30	1:50	<a href="http://www.planning.org">www.planning.org</a>	Human Resources	Janna Rogers	online ad for director's job in Planning	\$ 150.00	none	
4/15/2015	3:30	3:45	Facebook	BOS	Lynn Ford	Earth Day advertising	\$ 74.83	none	
4/23/2015	3:30	3:45	Deluxe Business Forms	Justice Court	Pat Sanford	Deposit Slips	\$ 77.85	none	

## 3. Contracts Administration

**a. Justice Court: Cummins Allison JETSCAN 4062-Money Counter Maintenance Agreement, Auto Renew, no changes**

**b. Delta Computer Systems: Online Payment for Circuit Courts, Auto Renew, no changes**

**c. Richard Barnes Lease Agreement: Upkeep and Maintain Robertson Donald Park, Auto Renew, no changes**

**d. Road Department: HDR ICA Engineering Agreement: Contract for Traffic Engineering Services**

## 4. Road Department

**a. Safety Report**

**b. Employee Resignation (1)**

## 5. EMS Billing Report – April, 2015

**Desoto County  
EMS BILLING REPORT**

April 2015

Number of ambulance runs billed: 127  
Amount billed: \$45,119.00  
Amount collected: \$30,011.89  
Un-collectable amount: \$6,561.36

	<b>Eudora</b>	<b>Lewisburg</b>	<b>Walls</b>
Dispatched Calls:	70	91	72
Refusals:	23	32	30
Standby Only:	2	0	2
Billed:	38	52	38
Other:	7	7	2

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

March 2015

Number of ambulance runs billed: 104  
Amount billed: \$36,464.00  
Amount collected: \$28,833.89  
Un-collectable amount: \$3,327.32

Fiscal Year To Date Collections:  
Number of ambulance runs billed: 904  
Amount billed: \$316,394.30  
Amount collected: \$198,856.83  
Un-collectable amount: \$17,252.13

## 6. Justice Court Report - April, 2015

April 2015

Criminal Cases Filed

159

8

05/18/2015

W.M.R

Civil Cases Filed	491
Traffic Tickets Filed	767
Total Cases Filed	1,417
State Assessments	\$84,165.70
County General Fund	\$126,924.38
DPS	\$3,750.00
Total Collections	\$214,840.08

**7. Bailiff Pay**

Liz Medlin	\$190.00
Brandon Hylander	\$205.00
Bobby Holloway	\$260.00

**8. Chancery Clerk Allowance (2)**                      \$1,200.00                      \$2,016.66

**9. Business Investments: Final Resolution Granting Exemption from Ad Valorem Taxation, American Musical Supply 10 years Real and Personal, \$7,305,084.00**

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the actions and items described in the Consent Agenda as set forth above.

The motion passed by a vote as follows:

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

**See Exhibit F**

**G. OLD BUSINESS**

**1. Sole Source Purchase of Election Equipment, Purchase Greater than \$25,000 held over from May 4, 2015 Board meeting.**

Election Commissioners Paul Beale and Tina Hill appeared before the Board to discuss the purchase of E-Poll books and to request the Board to declare ES&S as a sole source for poll books as they are the only system that will work with the County’s existing software. Also stated was the fact that the poll workers were already trained on this particular software.

Commissioner Beale thanked the Sheriff for picking up the political signs from the polling places that were left over from the May 12<sup>th</sup> special election.

Commissioner Beale said the special election held on May 12<sup>th</sup> went fairly smooth. There were only a few instances but things were fixed quickly.

Supervisor Michael Lee asked Commissioner Hill to address her concerns she has with the E-Poll books. Commissioner Hill said at the time they brought this matter before the Board she hadn’t had a chance to see or use the E-Poll books. Since that time she was given an opportunity to see how they work. She said this will help reduce the number of poll workers and help with accuracy.

Commissioner Hill said she still has concerns about the scanners because they are 14 years old.

Supervisor Jessie Medlin asked how much would it cost to replace the scanners. Commissioner Beale said it would cost \$399,000.00 to replace all the scanners or a four year lease purchase for \$111,000 from ES&S.

In accordance with Section 31-7-13, which outlines the provisions for obtaining a sole source purchase for equipment, and in accordance with Section 31-7-115, which states that records must be kept of any sole source purchase and available to the auditor, and based upon the finding that only the poll books purchased from ES&S work with the County's existing software and poll workers are trained on such software, Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the sole source purchase of one hundred and twenty (120) E-Poll Books from Election Systems and Software, LLC for a total of expenditure of \$158,135.37, and for Board Attorney Tony Nowak to prepare interlocal agreements with all cities for cost sharing with the purchase and future maintenance of the poll books.

The motion passed by a vote as follows:

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

**See Exhibit G.1**

## **2. Proposal for Legal and Technical Services to Seek Removal of DeSoto County from Ozone Nonattainment with Butler Snow and Trinity Consultants**

This item was deleted from the Agenda.

## **3. Solid Waste - Agreement with Jim McNaughton for MDEQ Application**

County Administrator Vanessa Lynchard presented to the Board a proposal from Jim McNaughton, President of Environmental Business Services, LLC to maximize the remaining air space at the DeSoto County's Class I Rubbish Site. She said the proposed project would have EBS utilizing the services of Allen Engineering and Science, Inc. for certain technical aspects of the project.

Supervisor Jessie Medlin said he thought the County had already authorized and paid for the service.

Ms. Lynchard said the work EBS did for the County in 2014 was an evaluation to determine fill plan options to maximize the remaining airspace of DeSoto County's Rubbish Site. Ms. Lynchard said on October 2, 2014 Jim and Mr. Allen attended a meeting with Billy Warden, Charlie Bock, Trent Jones, and Mike Noon of MDEQ to outline their conceptual plans for DeSoto County as detailed in Exhibit G.3. Ms. Lynchard said based on that meeting Jeff Allen and Jim McNaughton recommend that DeSoto County move forward with obtaining formal approval to maximize the remaining airspace as described in Exhibit G.3.

Supervisor Bill Russell asked about the pond. Environmental Services Manager Ray Laughter said they will put a clay liner in the pond.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve hiring Jim McNaughton with Environmental Business Services, LLC to work with MDEQ regarding obtaining approval to maximize the remaining airspace at DeSoto County's Class I Rubbish Site as fully described in Exhibit G.3 at a cost not to exceed \$25,000.00.

**See Exhibit G.3**

## **H. NEW BUSINESS**

### **1. Performance Food Group - MOU**

Michael Mullens with Performance Food Group came before the Board of Supervisors requesting a MOU supporting standard ad valorem and freeport tax exemptions from DeSoto County and the

City of Southaven. He said once they are fully operational they will come back before the Board with the formal request for a tax exemption.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to work on a MOU with Performance Food Group for the standard ad valorem and freeport tax exemptions. .

The motion passed by a vote as follows:

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

## **2. Business Investments Incentives: 10:00 a.m.**

Jim Flanagan, Director of DeSoto Economic Council, appeared before the Board of Supervisors to present the following companies that were approved by the Business Investment Incentives Committee for tax exemptions:

### **a. APS Pharmacy Solutions, LLC: Real, 10 years & Personal, 10 years - \$1,408,209.63**

Ms. Susan Stedman, Chief Financial Officer of APS Pharmacy Solutions, LLC, appeared before the Board of Supervisors requesting an ad valorem tax exemption on Real and Personal property for ten (10) years in the amount of \$1,408,209.63. Ms. Stedman stated they are a specialty pharmacy and service hospitals and mental health clinics to ensure patients go home with their medicine.

Director of Procurement and Administrative Services Pat McLeod noted the paperwork received had incorrect dates. Ms. Stedman said they would get that corrected and return the paperwork in with the proper dates.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve the ad valorem tax exemption on Real and Personal for ten (10) years in the amount of \$1,408,209.63 to APS Pharmacy Solutions, LLC conditioned upon the submission to the County of the corrected paperwork.

The motion passed by a vote as follows:

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

**See Exhibit H.2.a**

### **b. Cambium Business Group, Inc. / dba: Fairmont Designs - 10 years Real Property \$8,590,954.00**

Jim Flanagan, Director of DeSoto Economic Council, said Cambium Business Group, Inc./ dba: Fairmont Designs did not qualify for the ad valorem tax exemption on personal property and today they are requesting for 10 years real property.

Katrina Watson with Cambium Business Group, Inc./ dba: Fairmont Designs appeared before the Board of Supervisors requesting ad valorem tax exemption on Real property for ten (10) years in the amount of \$8,590,954.00.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve the ad valorem tax exemption on Real property for ten (10) years in the amount of \$8,590,954.00 to Cambium Business Group, Inc./ dba: Fairmont Designs as detailed in Exhibit H.2.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 Michael Lee, Fifth District	<u>YES</u>

**See Exhibit H.2.b**

**c. Conair Corporation: 10 year Real Property \$10,098,446.00**

Conair Corporation Operations Manager Doug Ray and Attorney Mark Aquadro appeared before the Board of Supervisors requesting an ad valorem tax exemption on Real property for ten (10) years in the amount of \$10,098,446.00. Mr. Aquadro said they are doubling the size of their current location on Venture Drive in Southaven, MS. Mr. Ray said Conair Corporation is a personal care appliance and small kitchen appliance distribution center servicing the big box chains.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the ad valorem tax exemption on Real property for ten (10) years in the amount of \$10,098,446.00 to Conair Corporation.

The motion passed by a vote as follows:

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

**See Exhibit H.2.c**

**d. Halyard Sales, LLC. / dba: Halyard Health - 7 years Real & 7 years Personal \$24,209,692 & Freeport Warehouse**

Mr. Wes Bond, Director of Halyard Health and Attorney Mark Aquadro appeared before the Board of Supervisors requesting an ad valorem tax exemption on real property and personal property for seven (7) years in the amount of \$24,209,692.00 and a Free Port warehouse tax exemption. Mr. Aquadro stated this is basically to reinstate the previously granted exemption for the benefit of the new owners. .

Mr. Bond said Halyard Health is a new entity that formed from Kimberly Clark effective November 1, 2014. He said they sell approximately 1.6 million dollars in medical supplies and their largest distribution center is here in DeSoto County.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the ad valorem tax exemption on real property and personal property for seven (7) years in the amount of \$24,209,692.00 and a Free Port warehouse tax exemption to Halyard Sales, LLC. / dba: Halyard Health as detailed in Exhibit H.2.d.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
--	------------

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

**See Exhibit H.2.d**

**e. Owens & Minor Dist., Inc. / dba: Owens & Minor - 10 year Real Property \$7,563,192.00 & 10 years Personal Property \$1,415,785.00**

Mr. Chris Dittman, General Manager of Owens & Minor, appeared before the Board of Supervisors requesting an ad valorem tax exemption on Real and Personal property for ten (10) years in the amount of \$8,978,977.00. Mr. Dittman stated they are a medical distribution company located in the Pro-Logistics complex located in Olive Branch, MS.

Supervisor Jessie Medlin asked Mr. Dittman how many employees do they employ. Mr. Dittman said they currently have 36 full-time employees.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the ad valorem tax exemption on Real and Personal property for ten (10) years in the amount of \$8,978,977.00 to Owens & Minor Dist., Inc. / dba: Owens & Minor as detailed in Exhibit H.2.e.

The motion passed by a vote as follows:

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

**See Exhibit H.2.e**

**f. Synnex: 10 years Real Property \$9,039,046.63 & 5 year Personal Property \$852,186.41**

Mr. Jacob Shurden, Plant Manager of Synnex Corporation, appeared before the Board of Supervisors requesting an ad valorem tax exemption on Real property for ten (10) years in the amount of \$9,039,046.63 and Personal property for five (5) years in the amount of \$852,186.41. Mr. XX said they are expanding their manufacturing/distribution center of computer/server/consumer electronics and anticipate creating approximately 200 new jobs to DeSoto County.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the ad valorem tax exemption on Real property for ten (10) years in the amount of \$9,039,046.63 and Personal property for five (5) years in the amount of \$852,186.41 to Synnex Corporation as detailed in Exhibit H.2.f.

The motion passed by a vote as follows:

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

**See Exhibit H.2.f**

**g. Tegra Medical (MS) LLC.: Freeport**

Mr. Dennis Schell, Controller of Tegra Medical, appeared before the Board of Supervisors requesting a Free Port warehouse tax exemption. Mr. Schell stated they are a contract manufacturer of orthopedic implants and instruments.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve the Free Port warehouse tax exemption to Tegra Medical (MS) 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 Michael Lee, Fifth District	<u>YES</u>

**See Exhibit H.2.g**

**h. Tri-Starr Mgmt. / dba: Legacy Supply Chain - 10 years Real Property \$13,303,940.00**

Mr. George Henrich, Director of Legacy Supply Chain, appeared before the Board of Supervisors requesting an ad valorem tax exemption on Real property for ten (10) years in the amount of \$13,303,940.00. Mr. Henrich stated they are a 3<sup>rd</sup> party logistics provider distributing home appliances and home electronics. He said they work with WIN Job Center in recruiting hourly and salary positions and conduct local job fairs at the facility in conjunction with WIN.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the ad valorem tax exemption on Real property for ten (10) years in the amount of \$13,303,940.00 to Tri-Starr Mgmt. / dba: Legacy Supply Chain as detailed in Exhibit H.2.h.

The motion passed by a vote as follows:

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

**See Exhibit H.2.h**

**i. Whitmor Inc.: 5 years Personal Property \$689,874.00**

Ms. Donna Brockman, Chief Financial Officer of Whitmor, Inc., appeared before the Board of Supervisors requesting an ad valorem tax exemption on Personal property for five (5) years in the amount of \$689,874.00. Ms. Brockman said they moved to Southaven in 2009 when a tornado destroyed their building.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to approve the ad valorem tax exemption on Personal property for five (5) years in the amount of \$689,874.00 to Whitmor, Inc. as described in Exhibit H.2.i.

The motion passed by a vote as follows:

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

**See Exhibit H.2.i**

**3. Delta Council- I69: 1:30 p.m.**

Commissioner Dick Hall, Mr. Chip Morgan, Mr. Ken Murphree, and President of Delta Council Mr. Walton Gresham with the Delta Council, appeared before the Board of Supervisors to give an update on the Mississippi Interstate 69/269.

Mr. Murphree thanked the Supervisors for letting them come before the Board and appreciate their continued support to the coalition. He said he has had the pleasure of working on this project since 1993. Handouts and maps were passed out to the Board of Supervisors.

Mr. Chip Morgan went over the maps and the corridor statuses. He said when the Interstate System was initially designed it was laid out generally east to west, reflecting the demographics, trade patterns and defense needs of the time. Canada and Mexico are now our main trading partners. U.S. imports from Mexico went up 326% from 1993 to 2005, and trade with Canada increased 137%.

Mr. Walton Gresham mentioned as of today the I-69 Mid-Continent Highway Coalition has been working closely with the I-69 Congressional Delegation, and State DOT's, to secure more than \$3.5 billion in federal authorization, appropriations and grants for I.69.

Commissioner Dick Hall explained the importance if I69 to the state of Mississippi. He said this will make a major difference in the Delta. The Highway trust fund dies next week and he said it probably will receive a short term extension. He said several states were in Washington lobbying for money for the completion of I69. Michigan has all their roads built and they were their lobbying for the completion because they realize the economic importance. It will take a multi-state effort to get Congress to continue providing funding. Commissioner Hall asked for continued leadership and support from the Board of Supervisors.

Supervisor Bill Russell thanked them for their presentation and asked how can we help.

Commissioner Hall said the County can help by continuing to fund the coalition and share this information with other municipalities.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize appropriating \$8,000.00 to the I-69 Mid-Continent Highway Coalition for supporting efforts for the completion of Interstate 69/269 and endorse the efforts of the coalition.

The motion passed by a vote as follows:

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

**See Exhibit H.3**

**4. Office of Finance & Accounting**

**a. Grants: Accept MDEQ Grant Award for Solid Waste Assistance - \$19,894.00**

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to accept MDEQ grant award for solid waste assistance in the amount of \$19,894.00 and authorize the Board President to sign the required documents. It was noted this grant provides reimbursement of funds to help offset the Solid Waste Officer salary and fringe benefits with no required match.

The motion passed by a vote as follows:

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

**See Exhibit H.4.a**

**b. Inventory Dispositions**

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion approve the Inventory Dispositions as set forth below:

**1) Facility Management - Preliminary**

DEPT	FACILITY MANAGEMENT			NRC = NON REPAIRABLE (COST)	K = THOUSANDS			DEPT #:	151	
NAME:				NR = NON REPAIRABLE	H = HUNDREDS					
				DAS = DECLARE AS SURPLUS	D = DOLLARS					
ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A G E	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION	DATE OF FINAL APPROVAL
01063	HOSHIZAKI ICE MAKER	G05879B	OLD EQUIPMENT NOT WORKING	97	22H	TRAILER ON HILL GARAGE				
10073	SCOTSMAN ICE MAKER	12Z740600-09Z712235	NON-REPAIRABLE/COST - PART OUT	94	2K	TRAILER ON HILL GARAGE				
31437	DELL OPTIPLEX	3586K11	NON-REPAIRABLE DUE TO COST	01	7H	FAC MGT				
32012	OKIDATA MICROLINE PRINTER	8CS03072901K	NON-REPAIRABLE DUE TO COST	02	1H	FAC MGT				
32316	CLARKE FLOOR BUFFER	AH2608	OLD EQUIPMENT NOT WORKING	03	11H	WHITEHOUSE GARAGE				
32937	CLARKE FLOOR SCRUBBER	BF1831	OLD EQUIPMENT NOT WORKING	03	49H	WHITEHOUSE GARAGE				
33530	PANASONIC NETWORK CAMERA	3IADD009803	OLD UNITS NOT USED BY IT DEPT	04	3H	FAC MGT				
34134	GANZ VIDEO CAMERA	021208	OLD UNITS NOT USED BY IT DEPT	04	3H	FAC MGT				
34371	BOSCH VIDEO CAMERA	889380043271	OLD UNITS NOT USED BY IT DEPT	07	1H	FAC MGT				
34861	TATUNG TRMVIEW MONITOR	60431578	NON-REPAIRABLE DUE TO COST	06	3H	FAC MGT				
35095	CLARKE FLOOR BUFFER	FH0127	OLD EQUIPMENT NOT WORKING	07	13H	WHITEHOUSE GARAGE				
35396	MINI DOME VIDEO CAMERA	C0307091	OLD UNITS NOT USED BY IT DEPT	04	1H	FAC MGT				
35398	MINI DOME VIDEO CAMERA	C0316169	OLD UNITS NOT USED BY IT DEPT	04	1H	FAC MGT				
35399	MINI DOME VIDEO CAMERA	C0316172	OLD UNITS NOT USED BY IT DEPT	04	1H	FAC MGT				
35551	DLINK INTERNET CAMERA	D50B246000041	OLD UNITS NOT USED BY IT DEPT	05	4H	FAC MGT				
35680	ACER MONITOR	ETL31040144460031CEC12	NON REPAIRABLE DUE TO COST	05	2H	FAC MGT				
36855	CLARKE FLOOR STRIPPER	DA1634	OLD EQUIPMENT NOT WORKING	06	1K	WHITEHOUSE GARAGE				
37107	HP LASERJET PRINTER	CNWF20328	NON-REPAIRABLE DUE TO COST	07	6H	FAC MGT				
38387	SPECO TECH 16 CH DVR	DU812991	OLD UNITS NOT USED BY IT DEPT	08	16H	FAC MGT				
39152	SPECO TECH 16 CH DVR	DU812991	OLD UNITS NOT USED BY IT DEPT	08	16H	FAC MGT				
39153	AXIS NETWORK VIDEO CAMERA	00408C86E5CA	OLD UNITS NOT USED BY IT DEPT	08	6H	FAC MGT				
39154	AXIS NETWORK VIDEO CAMERA	00408C86E8FE	OLD UNITS NOT USED BY IT DEPT	08	6H	FAC MGT				
39155	AXIS NETWORK VIDEO CAMERA	00408C86E8F7	OLD UNITS NOT USED BY IT DEPT	08	6H	FAC MGT				
39168	COMPUTER BUILT INHOUSE	NONE LISTED	NON REPAIRABLE DUE TO COST	08	3H	FAC MGT				
39169	AXIS NETWORK VIDEO CAMERA	00408C840824	OLD UNITS NOT USED BY IT DEPT	08	6H	FAC MGT				
39170	AXIS NETWORK VIDEO CAMERA	00408C8483D9	OLD UNITS NOT USED BY IT DEPT	08	6H	FAC MGT				
39506	SANYO FLAT SCREEN TV	B8160235225549	NON-REPAIRABLE DUE TO COST	08	4H	FAC MGT				
39635	EPSON PRINTER	E8BY273282	NON-REPAIRABLE DUE TO COST	09	3H	FAC MGT				
39637	AXIS NETWORK VIDEO CAMERA	00408C93124D	OLD UNITS NOT USED BY IT DEPT	09	5H	FAC MGT				
39638	AXIS NETWORK VIDEO CAMERA	00408C939144	OLD UNITS NOT USED BY IT DEPT	09	5H	FAC MGT				
39639	AXIS NETWORK VIDEO CAMERA	00408C938F8A	OLD UNITS NOT USED BY IT DEPT	09	5H	FAC MGT				
39662	NEC MONITOR	8Y001472NA	NON REPAIRABLE DUE TO COST	09	8H	FAC MGT				
39692	GANZ VIDEO CAMERA	UHB63193	OLD UNITS NOT USED BY IT DEPT	08	2H	FAC MGT				
39693	GANZ VIDEO CAMERA	UHB63194	OLD UNITS NOT USED BY IT DEPT	08	2H	FAC MGT				
39716	LEXMARK FORMS PRINTER	9J16310	NON-REPAIRABLE DUE TO COST	08	4H	FAC MGT				
39965	DELL MONITOR	96A2TES	NON-REPAIRABLE DUE TO COST	09	5H	FAC MGT				
39970	WATCHGUARD FIREWALL	9085617145200	OLD UNITS NOT USED BY IT DEPT	09	17H	FAC MGT				
40162	LEXMARK FORMS PRINTER	9J19836	NON REPAIRABLE DUE TO COST	09	4H	FAC MGT				
40373	GANZ VIDEO CAMERA	NHB841145	OLD UNITS NOT USED BY IT DEPT	09	2H	FAC MGT				
40383	PELCO DOME CAMERA	758294000137	OLD UNITS NOT USED BY IT DEPT	09	2H	FAC MGT				
40548	SPECO 16 CH MULTIPLEXER	DL10100905	OLD UNITS NOT USED BY IT DEPT	10	12H	FAC MGT				
41003	SPECO 16 CH MULTIPLEXER	DL10100905	OLD UNITS NOT USED BY IT DEPT	10	12H	FAC MGT				
41172	SPECO 16 CH MULTIPLEXER	28/01TH0251298	OLD UNITS NOT USED BY IT DEPT	10	13H	FAC MGT				
41419	EPSON PRINTER	FSQY171135	NON-REPAIRABLE DUE TO COST	11	4H	FAC MGT				
41693	DELL MONITOR	MX0G324H742621912FUL	NON-REPAIRABLE DUE TO COST	11	3H	FAC MGT				

AUTHORIZATION TO DISPOSE		INVENTORY CLERK	NOTES
SIGNED BY: <u>ROBERT JARMAN</u>	DATE: <u>05/13/15</u>	INFORMATION	REQUESTING ABOVE ASSET BE DECLARED AS SURPLUS. ITEMS LISTED HAVE BEEN SITTING IN VARIOUS LOCATIONS. (WHITEHOUSE, TRAILER GARAGE ON HILL & FACILITY MGT)
PRINT NAME: _____		PRELIMINARY PRESENT TO BOS	
		<b>May 18, 2015</b>	
DISPOSED BY: _____	DATE: _____	FINAL PRESENT TO BOS	
PRINT NAME: _____		DATE INVENTORY DISPOSED IN A S400	
INV CLERK: <u>CHARMAINE MCCOOL</u>	DATE: <u>05/13/15</u>	DATE BOS FINAL MINS ATTACHED	

2) IT Department- Preliminary

DEPT NAME:		Information Technology								DEPT #:		152	
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	DATE OF FINAL APPROVAL			
6283	IBM TERMINAL	8843818/23K2349	will not boot	95	1K	"							
8174	IBM TERMINAL	2349530	will not boot	98	6K	"							
39958	DELL OPTIPLX DESKTOP PC	4CW7CK1	bad network card	09	7H	IT DISPOSAL							
39970	WATCHGUARD X750E FIREWALL	90856171452E2	bad power adapter	09	17H	"							
40364	IBM LENOVO DESKTOP PC	157303D5UMJ69651	will not boot	10	7H	"							
41080	DELL OPTIPLX	3PS6XH1	hard drive failure	10	4H	"							
41419	EPSON LQ-590 PRNTR	FSQY171135	will not print	11	4H	"							
41883	DELL OPTIPLX 745	4X65JD1	power supply failure	12	3H	"							
43460	DELL OPTIPLX	SHDXXB1	bad network card	13	2H	"							
43992	APPLE IPHONE 4	A100001C865A64	broken screen	14	5H	"							

AUTHORIZATION TO DISPOSE				INVENTORY CLERK INFORMATION		NOTES
SIGNED BY:	<u>Felicia Hopper</u>	DATE:	<u>04/29/15</u>	PRESENTED TO BOS		
PRINT NAME:	<u>Felicia Hopper</u>			<u>May 18, 2015</u>		
DISPOSED BY:		DATE:		PRESENTED TO BOS		
PRINT NAME:				DATE INVENTORY DISPOSED IN AS400		
INV CLERK:	<u>CHARMAINE MCCOOL</u>	DATE:	<u>05/08/15</u>	DATE BOS FINAL MINS ATTACHED		

### 3) Sheriff Department- Preliminary

DEPT		SHERIFF DEPT		NRC = NON REPAIRABLE (COST)		K = THOUSANDS				DEPT		200	
NAME:				NR = NON REPAIRABLE		H = HUNDREDS				LOC			
				DAS = DECLARE AS SURPLUS		D = DOLLARS							
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	DATE OF FINAL APPROVAL			
8113	Spectra Mobile Radio	604ATW1073	Broken-Non Repairable-Obsolete	99	26H	SID-Storage							
8118	Spectra Mobile Radio	604ATW1078	Broken-Non Repairable-Obsolete	99	26H	SID-Storage							
31352	Time Lapse VCR	61VR900004	Broken-Non Repairable-Obsolete	02	9H	SID-Storage							
32024	Magnovox TV	19055943	Broken-Non Repairable-Obsolete	02	3H	SID-Storage							
32693	HP Photosmart Printer	TH1CJ1312Y	Paper feed roller broken	02	2H	SID-Storage							
38431	Dymo Label Printer	93089/2282607	Will not power on-broken	08	1H	SID-Storage							
39215	GPS Tracker	00473	Broken-Non Repairable-Obsolete	07	6H	SID-Storage							
39876	Motorola Mobile Modem	508SKS0243	Broken-Non Repairable-Obsolete	09	25H	SID-Storage							
40624	Zebra Mobile Printer	XXRC10020650	USB Port broken	10	6H	SID-Storage							
42051	HP Photosmart Inkjet Printer	CN16P3N04Q	Print Head Broken	13	1H	SID-Storage							
43488	Zebra Mobile Printer	43G19PP104177	USB Port broken	13	2H	SID-Storage							
35011	Kodak Camera	KCXGG647	Outershell broken	07	2H	SID-Storage							

AUTHORIZATION TO DISPOSE				INVENTORY CLERK INFORMATION		NOTES
SIGNED BY:	<u>KYLE HODGE</u>	DATE:	<u>05/06/15</u>	PRELIMINARY PRESENT TO BOS		
PRINT NAME:				<u>May 18, 2015</u>		
DISPOSED BY:		DATE:		FINAL PRESENT TO BOS		
PRINT NAME:				DATE INVENTORY DISPOSED IN AS400		
INV CLERK:	<u>CHARMAINE MCCOOL</u>	DATE:	<u>05/16/15</u>	DATE BOS FINAL MINS ATTACHED		

The motion passed by a vote as follows:

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

### See Exhibit H.4.b.1.2.3

### c. Supplemental Claims Docket

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

Supervisor Jessie Medlin asked about the following claims:

- Page 61: Water Bill for Red Banks Ball Field. County Environmental Service Manager Ray Laughter said the amount is for one month. He said the field is used a lot.
- Page 12: Employment Security. Mr. Arnold said these claims are from two former employees. They have filed unemployment claims. Sheriff Rasco confirmed they were former employees.
- Page 13: City of Hernando-Detention. Mr. Arnold said this is the water bill for two months.

Supervisor Lee Caldwell asked about the following claims:

- Page 13: Ewing Kessler. Mr. Arnold said this was to replace a condensation pump at the new jail.
- Page 13: Central Laundry Equipment. Mr. Arnold said it was to repair some laundry equipment at the jail.
- Page 13: Sherwood. Mr. Arnold said there were some residual items we still owed to Sherwood.
- Page 13: Seimens. Mr. Arnold said this is our maintenance agreement.
- Page 30: Helicopter Corp of America. Sheriff Rasco said it was to repair the old helicopter. We now have two (2) working helicopters.
- Page 31: MS. Association of Chiefs of Police. Mr. Arnold said it was registration fees for eight people to attend.
- Page 58: Dixie Net. Mr. Arnold stated this is for Judge Lundy's office in Grenada, MS.

Supervisor Mark Gardner asked about the following claims:

- Page 12: Unemployment Claims. Mr. Arnold said this is for one quarter and both employees were employed with the Sheriff's Department.
- Page 13: Accurate Air. Mr. Arnold said this was to service the A/C at the new jail.
- Page 18: L-Tron Corp. Mr. Arnold said this was for batteries and cables for printers.
- Page 18: Unistar-Sparco Computers. Mr. Arnold said it is licenses for software.
- Page 29: Government Connection. Sheriff Rasco said this is where we buy our printer cartridges.
- Page 31: Decal Jones. Mr. Arnold said these are the decals for the Sheriff's new vehicles.
- Page 31: State Treasure Fund. Mr. Arnold said was for crime lab analysis testing of some type.
- Page 60: Network Innovations. Mr. Arnold said these are the satellite telephones used by EMA that we pay monthly.
- Page 64: North MS Driveway. County Engineer Scott Young said it was for patchwork.

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

The motion passed by a vote as follows:

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

##### **5. Office of Procurement: Bids Under Advisement - Re-Bid 4500 Series Pickup**

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the purchase of one (1) 2016 Ford F450 Crew Cab Pickup from Country Ford as detailed

in Exhibit H.5 of Bid #15-156-023 finding the purchase is essential to the efficiency and economy of the operations of the County.

The motion passed by a vote as follows:

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

**See Exhibit H.5**

## **6. Nesbit Fire Protection District - Appointment of Commissioners**

Supervisor Lee Caldwell presented a list of Appointment of Commissioners to the newly created Nesbit Fire District to serve on a staggered basis as follows:

<u>Commissioner</u>	<u>Term</u>
A.J. Jelks	1 year
Harvey Herring	2 years
Daniel Loomis	3 years
Mark Kendrick	4 years
Larry Loomis	5 years

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve the list of Appointment of Commissioner to the Nesbit Fire District as set forth above and authorize the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to prepare the Order of the Governing Body for the Appointment of Commissioners for the Board President to sign.

**See Exhibit H.6**

## **7. Contract Administration: Approve & Authorize Board President to Sign TDL Contract-Fairhaven Fire Department, Authorize Board Attorney to prepare Addendum to Change the Payment Provision**

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve and ratify the Board President to sign the TDL Contract regarding the Fairhaven Fire Department expansion, authorize the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to prepare an addendum to change the payment provision and direct Directors of Facilities Robert Jarman to oversee all the work performed by TDL.

The motion passed by a vote as follows:

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

**See Exhibit H.7**

## **8. Road Department: Request to Remove Donated Dirt**

Supervisor Lee Caldwell stated a homeowner off of Nesbit Road would like to donate dirt to the County.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to accept donated dirt from private property donated by landowner Kevin James.

Supervisor Gardner and Supervisor Caldwell withdrew their motion to allow further discussion with County Road Manager Andy Swims.

County Road Manager Andy Swims joined the meeting by phone. He said the Road Department is requesting the Board of Supervisors authorize the Road Department to enter onto private property located at 6193 Nesbit Road, Lake Cormorant, to remove dirt donated by the landowner, Mr. Kevin James. Mr. Swims said they are estimating 125 loads will be removed. They have done a cost analysis and it appears to be a cost savings for the Road Department.

Supervisor Bill Russell said the County will need to establish a written agreement with Mr. James.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to confirm property on 6193 Nesbit Road belongs to Mr. Kevin James and work on an agreement between the Road Department and landowner Kevin James for the removal of donated dirt from private property .

The motion passed by a vote as follows:

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

**See Exhibit H.8**

#### **9. Board Attorney: Teleflex in Lieu Agreement - Addendum**

Mr. Nowak reminded the Board of Supervisor in 2013 they previously approved a Fee In Lieu agreement for Teleflex. Mr. Nowak stated there has been a dispute regarding the Fee In Lieu calculation methodology. Teleflex has asserted that the School Tax should be reduced by the same amount as all other taxes when calculating the Fee In Lieu. The Board and Mr. Nowak have insisted the School Tax is exempt and should be paid in full. Mr. Nowak stated Teleflex has finally agreed to this and the proposed amendment to the Fee In Lieu Agreement changes the Fee In Lieu calculation methodology so that there is no reduction to the school tax amounts.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to authorize Board President to sign the addendum to the Fee In Lieu agreement with Teleflex.

The motion passed by a vote as follows:

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

**See Exhibit H.9**

#### **10. County Administrator**

##### **a. Disposal of Unclaimed Body**

County Administrator Vanessa Lynchard said Coroner Jeffrey Pounders called regarding an unclaimed body. Mr. Pounders told Mrs. Lynchard that he has made every effort to find someone to claim the body, but has been unsuccessful.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the Coroner to dispose of the unclaimed body of Michael Bailey, male, who died in DeSoto County on or around April 28, 2015, in accordance with section 41-39-5 of the Mississippi Code, which states any coroner acquiring possession of a dead human body that is not claimed for burial or cremation within forty-eight hours of its acquisition shall give written notice thereof to the Board of Supervisors. If the body thereof shall not be claimed within five days, the Board of Supervisors shall authorize and direct the burial or cremation and burial of the residue of such dead body. The reasonable expense of such burial or cremation and burial of the dead body shall be borne by the county of residence or settlement of the dead body thereof is located. It shall be the duty of the Board of Supervisors to make arrangements for the cremation and burial of the dead body and the expense of such shall be borne by the county of residence.

The motion passed by a vote as follows:

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

**See Exhibit H.10.a**

**b. Revised MOU with MDOT for Pleasant Hill Road Trail, Delta View Bike Trail, and Hernando DeSoto River Park Overlook**

County Administrator Vanessa Lynchard said the MOU is being modified due to the scope of work and funding change. She stated portions of the scope of the projected were deleted and funding was increased due to the intersection/interstate landscaping project being deleted.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve the Revised MOU with MDOT for Pleasant Hill Road Trail, Delta View Bike Trail, and Hernando DeSoto River Park Overlook and Board President to sign required documents.

The motion passed by a vote as follows:

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

**See Exhibit H.10.b**

**c. Risk Management: Arthur J. Gallagher & Co. - Loss Control Service Agreement 2015-16 Teaches Work Safety to Employees**

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize Board President to sign the Loss Control Service agreement with Arthur J. Gallagher & Co. for a fee not to exceed \$10,000.00 as further detailed in Exhibit H.10.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>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit H.10.c**

## I. PLANNING COMMISSION AGENDA

### 1. PUBLIC HEARING 11:00 A.M.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to go into Public Hearing for all 3 items advertised for public hearing, as identified below. The motion was unanimously approved.

Supervisor Lee Caldwell recused herself from the Miller Center Rezoning

#### a. Rezoning Amendment

##### i. Miller Center (733)

Supervisor Caldwell recused herself from this matter and exited the meeting. Ms. Hendricks presented application for rezoning as follows:

**Miller Center (733)** - Application is for approval of Rezoning of property from Agricultural-Residential (A-R) to Planned Commercial (C-4), identified as Parcel #2-05-4-18-00-0- 00021-00. Subject property is located on the west side of Hwy 178 and south of Miller Road in Section 18, Township 2, Range 5 and is zoned Agricultural-Residential (A-R). (District 1) **Applicant:** EBI, Inc.

Mr. Bob Barber and Mr. Mike Bailey were present to represent the Miller Center application. Mr. Barber said he wanted to present the context for this project. He showed several pictures of the original home place for the Clark family and the plans to develop this project according to the existing environment. He stated that they have met with the family and neighbors regarding this project. This project will be a rural crossroad with a commercial center consisting of 33 acres with four distinct areas. Area A, located at the corner of Miller Road and Hwy 178 is proposed as a retail or commercial node (Restaurants, General Retail, Art Studio, Offices, Garden Center, or Automobile Fueling Station). Areas B, C, and D, located to the southeast of Area A along Hwy 178, are proposed as primarily storage facilities (Area B-Mini-Storage, Area C-Recreational Vehicle Storage, and Area D-Mini Storage or Service Commercial). All the lighting will be downcast and totally shielded. The area is a historical site and they have to have historical permission to place a historic marker in the area. The Clarks want to make sure the color palette of the buildings matches the historic color patterns.

Mr. Barber stated the changes in the area are the subdivision that has been constructed along with Centerhill School being built, and Olive Branch is supplying the water in this area. He said they will have to construct the wastewater disposal for this development and he has included a letter from the Health Department regarding the waste water. The Planning Commission requested design changes to have the pumps for the filling station to the side or in the back have been made. The project will provide connection to the greenway and I-69. The property is surrounded by a Federal Highway on both sides.

Supervisor Mark Gardner asked about the rail road crossing in the area. Supervisor Jessie Medlin said the turn lanes were installed on the road and there are gates installed at the crossing.

Mr. Barber said it is only a matter of time before MDOT will have to do a signalization at this location.

Supervisor Medlin asked when the road realignment would take place for this project. Mr. Barber said when the construction for Area A started they would realign the road. They will have to discuss this with MDOT for the realignment.

Supervisor Gardner said since Olive Branch will supply water, what about the fire hydrants? Mr. Barber said they support the hydrants being installed and they will discuss with Olive Branch.

Supervisor Bill Russell asked about the landscape buffer between the buildings and the road. Mr.

Barber said the buffers would be developed between the buildings and the road with a berm of trees and bushes on the road frontage. There will also a wrought iron fence around the buildings.

Supervisor Russell asked Ms. Hendricks if each individual site would be approved or if the whole project would be approved. Ms. Hendricks said the site design would not be approved today only the rezoning to a C4.

Supervisor Russell asked if there was anyone in the audience who wanted to speak about this rezoning for the Miller Center.

Mr. Gary Perron of 12570 Marsh Road came forward to speak about the problems already existing at the railroad crossing in this area. He stated that he was also concerned about the flooding that already exists in this area. The Coldwater River has caused extensive flooding to the Centerhill homes and with the development of this project he is concerned about additional water runoff causing more flooding. He said that his garage almost gets flooded now due to a creek behind his house.

Supervisor Gardner asked Scott Young, County Engineer, about the status of the water in this area and will it cause flooding to the homes. Mr. Young said this property is not in the flood plain and that FEMA allows construction in the area. The engineering will address drainage and erosion control and when the designs are submitted to the county for approval is when any problems with the potential flooding will be addressed with the developer.

Supervisor Medlin said the Board has talked with the Corp of Engineers several times about the Coldwater River problems causing flooding in the area and they have not been able to get anything resolved.

Mr. Barber said he appreciates the concerns expressed about the flooding, but this development is between two Federal roads and it does not impact the subdivision on the other side of the roads. He said they would be willing to provide a complete flow analysis from the site and more if necessary.

Mr. Gary Jamerson of 500 Myers Road, asked to address the Board. He said that when the Coldwater River backs up now water goes into the project site. When this site is built up 3 feet or more, where will the water go then?

Mr. Young restated that the area is not in a flood zone and this is according to the 2014 flood plain study that was done. He stated that the curve in Miller road would need to be addressed.

Board Attorney Tony Nowak stated that this project requires a two phase approval. Today's Board approval is for rezoning to C4 only, which is based on proof of public need and change in area. The final approval of site plans would address the problems regarding flooding.

Supervisor Jessie Medlin motioned to approve the rezoning of the property based on changes in the area as presented and discussed, the Planning Commission findings and recommendations, and the public need for commercial space in the area. The requirements for lighting standards, wrought iron fence, natural buffers, storage openings facing inward, work on the entrances, realignment of Miller Road with MDOT regarding traffic study; the installation of berm on Hwy 178 with trees and iron fence, retention of water on the site, fuel pumps to be on the side of property and the opening at 6am to 9 pm for the fuel station. The realignment for road must take place before Area A is constructed.

Supervisor Bill Russell seconded the motion and stated that the curve in Miller Road to be taken out also.

The motion past by a vote as follows:

Supervisor Jessie Medlin	<u>YES</u>
Supervisor Mark Gardner	<u>YES</u>
Supervisor Bill Russell	<u>YES</u>
Supervisor Lee Caldwell	<u>RECUSED</u>

**ii. Sexton Commercial (731)**

Ms. Hendricks presented the application for the Sexton Commercial (731). She said the applicant is requesting rezoning to C4 and a variance on the northern side of the property for 15' buffer yard.

**Sexton Commercial (731)** - Application is for approval of Rezoning of property from Agricultural (A) to Planned Commercial (C-4), identified as Parcel #2-09-8-34-00-0- 00021-00. Subject property is located on the west side of Hwy 301 and south of I-69 in Section 34, Township 2, Range 9 and is zoned Agricultural (A). (District 3) Applicant: Jimmy Sexton

Ms. Hendricks stated that Mr. Joe Frank Lauderdale is representing the applicant Jimmy Sexton.

Mr. Lauderdale stated that the development is located along the I-69 corridor and with the change in the neighborhood due to the interstate this development will be at a major intersection running east and west with Hwy 301 running north and south. He said Mr. Sexton owns all the property connected to the development and therefore there would be no objection from connecting property owners.

Supervisor Michael Lee asked if there was any commercial property close to this development. Ms. Hendricks stated there is one to the south on Hwy 301.

Mr. Lauderdale said the development would meet the request for C4 zoning. They will also provide sidewalk on this development. This variance request is for a 15' buffer yard on the northern property line instead of the 35' buffer yard, since Mr. Sexton owns the existing property.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to approve the C4 zoning, based upon changes in the area as presented and discussed, the Planning Commission findings and recommendations, and the public need for commercial space in the area, and to approve the requested variance based on the recommendation of the Planning Commission. The motion passed by a unanimous vote.

**iii. Robinson Crossing, Area 3 (736)**

Ms. Hendricks presented the application for Robinson Crossing, Area 3 (736)

**Robinson Crossing, Area 3 (736)** - Application is for approval of a Rezoning amendment of property zoned Planned Unit Development (PUD), identified as Parcel #2- 07-1-11-00-0-00002-00. Subject property is located on the east side of Malone Road and south of Church Road in Section 11, Township 2, Range 7 and is zoned Planned Unit Development (PUD). (District 2). **Applicant:** Pleasant Hill Land & Development Co.

Ms. Hendricks said the development has not been turned over to an HOA and the developer still has management control. Mr. Lauderdale is representing the developer today.

Mr. Lauderdale said the development was approved in 2004, and the amendment 2 was approved in 2005 to ask for R20 lots. The amendment 3 today is to clarify the setbacks as area 2 and allow setbacks to be changed from 15 ft. to 5 ft. minimum with a total of 15 ft. and to reduce the front setback from 40 ft. to 30 ft.

Supervisor Mark Gardner made the motion and Supervisor Michael Lee seconded the motion to approve the Robinson Crossing, Area 3 (736) Rezoning amendment based upon changes in the area as presented and discussed, the Planning Commission findings and recommendations, and the public need. The motion was unanimously approved.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to close the Public Hearing. The motion was unanimously approved.

**2. OLD BUSINESS**

**a. Preliminary Subdivision**

**i. Lee Rd. Subdivision (6939)**

Supervisor Lee Caldwell recused herself from the discussion on Lee Rd. Subdivision and exited the meeting.

Ms. Hendricks presented the application for Lee Rd. Subdivision (6939). She stated the development will be served with treatment systems on individual lot basis. She stated that draining issues will also need to be looked into.

**Lee Rd. Subdivision (6939)** - Application is for preliminary subdivision approval of twenty-three (23) lots on 61.5 acre(s) identified as Parcel(s) #3-06-1-12-00-0-00000-01 and #3-06-1-12-00-0-00000-00. Subject property is located on the west side of Lee Rd. and south of Byhalia Rd. in Section 12, Township 3, Range 6 and is zoned Agricultural (A). (District **Applicant:** EBI, Inc.

Mr. Joe Frank Lauderdale was present to represent the development on Lee Rd. Subdivision. He said these are 2 acre lots with onsite septic systems with aerated tank and spray field. There will be restricted covenants in place establishing 1800 to 2000 sq. ft. homes.

Supervisor Jessie Medlin asked what would be the required floor space on the first floor of a two story home.

Mr. Lauderdale said the first floor would vary from 1200 to 1400 sq. ft.

Supervisor Bill Russell asked if the HOA would be responsible for the pond in the subdivision. Mr. Lauderdale said there would not be an HOA and the pond would be the responsibility of the property owners. Supervisor Russell said this Board has been advocating the development of HOA's for subdivision due to the problems that occur later on. When the problems occur you can't then set up an HOA, it has to be done on the front end. Ms. Hendricks said the residential agreement is being addressed by the Planning Commission.

Ms. Hendricks said there are two concerns with the development that need to be addressed. The applicant has agreed to put in a 5ft bike and walking lane. The bike lanes will require no parking on that side of the street. The other concern is the multiple access points to the subdivision. This development only has 23 lots and requires one entrance.

Supervisor Medlin said the two homes directly on Lee Road with curbs will have problems and asked if this could be changed to two homes with driveway facing like the other homes.

Supervisor Bill Russell opened the floor to comments from opponents to the Lee Road Subdivision.

Mr. David Howell, 1345 Lee Road, addressed the Board. He stated that he has a petition with over a 100 signatures from citizens that live in this area and they have concerns regarding storm water runoff and erosion problems. He stated that the subdivision does not offer open space within the plans.

Supervisor Russell said that the County engineer is charged with approval of drainage plans, and with the developer they must designate how any additional water will be handled.

Board Attorney Tony Nowak said if the County approves the subdivision that does not absolve the developer of his responsibility to control erosion or any possible liability to neighboring landowners adversely affected by the development.

County Engineer Scott Young stated that the County set a bond on the developer for erosion control before drainage plan is developed to control the stormwater runoff. A Stormwater prevention plan has to be submitted to the county for approval.

Mr. Howell gave a presentation of slides on homes and land in the area of the Lee Road Subdivision, where water drainage was already a problem. He also stated that the land where this

subdivision is being built has a lot of gullies on the property.

Supervisor Russell said the developer and engineer have the responsibility to say that this development will not affect surrounding property with erosion or drainage problems.

Board Attorney Tony Nowak said if the county approves the development for subdivision, this does not absolve the developer from problems or drainage. Neighboring landowners can still action against the developer if the development is improperly constructed.

Supervisor Mark Gardner asked Mr. Howell and the public if the county made sure the stormwater runoff was prevented and done right, would they allow the subdivision.

Mr. Howell asked about the 500 ft. length of the road and the county's ordinance regarding a cul-de-sac. Supervisor Russell said the street will be stubbed out for future extension.

Attorney Nowak said Article 8 does allow the Board to waive the 500 ft. cul de sac road limitation.

Mr. Howell said lot 22 does not have depth of 4 times its width as required by county ordinance.

Mr. Lauderdale said they will adjust this lot accordingly to make it correspond with the ordinance.

Mr. Howell said that once a developer has received approval of permit from MDEQ they can begin work on property before the county approves anything. This is a concern and the county should see that developers do not begin any construction before approval from county is received.

Mr. Lauderdale stated that nothing had been done to this property, but the grass has been cut. The developers are not bypassing any permits and not starting any work.

Mr. Calvin Cowan addressed the Board regarding the subdivision property. He stated that he had lived in this area and the property in question is very hilly and there are several gullies. These gullies will have to be filled in order to develop area for homes, causing more runoff.

Mr. Gary Jamerson asked to give the layout of pipes in the area of the development where water runs through. Mr. Jamerson asked how the water flow could be changed to prevent water flooding.

Mr. Young stated that the county would have to put requirements in place on the development to prevent water flooding.

Ms. Doris Cowan asked to speak. She said that two ways to enter property should be a requirement, the houses should be bricked, there should be fire plugs in the area and that each house should have their own driveway. She asked that the Board take a closer look at the plans for this subdivision.

Supervisor Michael Lee said that the Board would hold Mr. Bailey to the County standards that the people expect, and that no ground would be broken until the final plans have been reviewed by the citizens and the Board.

Mr. Lauderdale said that would not be a problem for the developer.

Several other residents from the area voiced their concerns about the subdivision development.

Supervisor Mark Gardner said it is the right of the person who owns the property to say how they want to develop the property. It is the County's responsibility to make sure the property is developed to meet the County ordinances and meet the standards that have been established.

Supervisor Jessie Medlin said everyone is concerned about the drainage and that is why the county has engineers who can address drainage plans in the subdivisions.

Supervisor Jessie Medlin made the motion to approve the preliminary designs conditioned upon

2000 minimum square foot homes, with 1400 minimum square foot bottom floor, ¾ brick siding, no livestock, all mail boxes to be the same with no brick mailboxes, all driveways in limestone or pavement, all silt screen fences to be put up before construction starts, 20 ft. buffer on the north and south side, no construction can start until the final engineering design is approved by the county engineer, the formation of a HOA on the front end of the subdivision, the development of 29 foot wide streets with 5 feet designated as a bike path on one side, and that Lot 22 be complied to the width and length ordinance. Supervisor Bill Russell seconded the motion.

The motion passed by a vote as follows:

Supervisor Jessie Medlin	<u>YES</u>
Supervisor Mark Gardner	<u>YES</u>
Supervisor Bill Russell	<u>YES</u>
Supervisor Lee Caldwell	<u>RECUSED</u>
Supervisor Michael Lee	<u>YES</u>

### **3. NEW BUSINESS**

#### **a. Consent**

##### **i. Henderson Minor Lot (6992)**

Supervisor Caldwell returned to the meeting. Ms. Hendricks presented the application for Henderson Minor Lot (6992).

Application is for minor lot subdivision approval of one (1) lot on 3.24 acre(s) identified as Parcel(s) #3-05-8-33-00-0-00005-00. Subject property is located on the south side of Holly Springs Road and east of Red Banks Road in Section 33, Township 3, Range 5 and is zoned Agricultural (A). (District 1). **Applicant: Cari Henderson**

Ms. Hendricks said the subdivision meets all requirements of the county. The lots will not be served by public water or sewer service and no part of the property is located in a flood zone.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the Henderson Minor Lot (6992) based on the Planning Commission recommendation. The motion was unanimously approved.

#### **b. Minor Lot**

##### **i. Dickinson Minor Lot (6986)**

Ms. Hendricks presented the application request for Dickinson minor lot and said that Lot 2 & 3 were in excess of four times the width. That the lots will not be served by public water or sewer service and no part of the property is located in a flood zone.

**Dickinson Minor Lot (6986)** - Application is for minor lot subdivision approval of one (1) lot on 3.24 acre(s), (1) lot on 1.78 acre(s) and one (1) lot on 1.87 acre(s) identified as Parcel(s) #3-06-5-22-00-0-00013-01. Subject property is located on the north side of Coryelle Road and west of Hwy. 305 in Section 22, Township 3, Range 6 and is zoned Agricultural (A). (District 5)  
**Applicant: Distinctive Properties**

Supervisor Michael Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve the Dickinson Minor Lot (6986) application. The motion was passed by a unanimous vote.

##### **ii. Lester Subdivision, Third Revision (6988)**

Ms. Hendricks presented the application request for minor lot and stated there was a second revision to this plat that was done by a court order, if approved this revision will clean up the Planning Departments records for this subdivision as well as subdivide Lot 1. The lots will not be served by public water or sewer service and no part of the property is located in a flood zone.

**Lester Subdivision, Third Revision (6988)** - Application is for minor lot subdivision approval of one (1) lot on 1.63 acre(s) identified as Parcel(s) #3-07-2-03-00-0-00013-07. Subject property is located on the east side of Getwell Road and south of Kyle Road in Section 3, Township 3, Range 7 and is zoned Agricultural (A). (District 5) **Applicant:** Pamela Lester

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve the minor lot for Lester Subdivision, Third Revision (6988). The motion passed by a unanimous vote.

**c.Final Subdivision**

Ms. Hendricks presented the application for final subdivision approval for Bakersfield Subdivision, Section D (6979). This is the final plat and was approved by the Planning Commission.

**i. Bakersfield Subdivision, Section D (6979)** - Application is for final subdivision approval of nineteen (19) lots on 11.73 acre(s) identified as Parcel(s) #2-07-726-00-0-00003-00. Subject property is located on the south side of Pleasant Hill Road and west of Laughter Road in Section 26, Township 2, Range 7 and is zoned R-20. (District5) **Applicant:** Bridgforth Properties

Mr. Joe Frank Lauderdale, representative for the developer, stated that this was the final link into the Pleasant Hill Road.

Supervisor Michael Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve the Planning Commission's recommendation for the final subdivision plat on Bakersfield Subdivision, Section D (6979). The motion passed by a unanimous vote.

**ii. Love Station, Phase 2 (6989)**

Ms. Hendricks read the application for Love Station, Phase 2 (6989) final subdivision. She stated that the application conforms to the preliminary plat application. Mr. Joe Frank Lauderdale is the representative for the applicant.

**Love Station, Phase 2 (6989)**-Application is for final subdivision approval of two (2) lots on 3.39 acre(s) identified as Parcel(s) #4-07-307-00-0-00004-01. Subject property is located on the north side of Smokestack Drive and west of Love Station Loop in Section 7, Township 4, Range 7 and is zoned Agricultural (A). (District 5). **Applicant:** SP Capitol Investments.

Supervisor Michael Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve the recommendations of the Planning Commission for the final plat on the Love Station, Phase 2 (6989) subdivision. The motion passed by a unanimous vote.

**4. OTHER**

Ms. Hendricks advised the Board that the Planning Commission is asking for approval from the Board to record the plats for Villages at Hawk's Crossing Phase 2B and the Kyle's Creek, Section C. They both fail to record their plat in the 1<sup>st</sup> year after approved. They are both original plats as presented.

**i.Villages at Hawk's Crossing, Phase 2B - concurrence of previously approved but not recorded subdivision to allow to be recorded as a major subdivision.**

Supervisor Michael Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve the Planning Commission recommendation for the Villages at Hawk's Crossing, Phase 2B to record their subdivision plat. The motion was unanimously approved.

**ii. Kyle's Creek, Section C - concurrence of previously approved but not recorded subdivision to allow to be recorded as a major subdivision.**

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to approve the Planning Commission recommendation for Villages at Hawk's Crossing, Phase 2B to record their subdivision plat. The motion was unanimously approved.

**iii. Design Standards Variance Request – Cat and Cow Veterinary Clinic, 3091 Bethel Road., District 1.**

Ms. Hendricks presented the request from Cat and Cow Veterinary Clinic for a variance request.

Supervisor Jessie Medlin said that he met with Ms. Hendricks at the clinic to look at the area. He wanted to make sure the roofline was safe to build under.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve the variance on sidewalk, parking lot and design on brick. The motion passed by a unanimous vote.

**J. EXECUTIVE SESSION**

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

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to adjourn the Board meeting until June 1, 2015 at 9:00 a.m.

The motion passed by a vote as follows:

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

This the 18<sup>th</sup> day of May 18, 2015, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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Bill Russell, President  
DeSoto County Board of Supervisors