

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

DISTRICT THREE BILL RUSSELL, PRESIDING

May 4, 2015

A. CALL TO ORDER

The May 4, 2015 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Bill Russell, Board President.

Sheriff Deputy Carl Hurt 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 - ABSENT
Supervisor Michael Lee	District 5
Sheriff Bill Rasco	Sheriff - ABSENT
W. E. Sluggo Davis	Chancery Clerk
Vanessa Lynchard	County Administrator
Tony Nowak	Board Attorney

B. INVOCATION

Sheriff Deputy Carl Hurt presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF APRIL MINUTES

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

The official minutes of the Board of Supervisors were read for the month of April 2015.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to accept the minutes of the Board of Supervisors for April, 2015, as presented this date with changes to the draft minutes previously submitted; pursuant to Section 19-3-27 of the Mississippi Code of 1972, annotated.

The motion passed by a vote as follows:

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

Supervisor Mark Gardner stated he wasn’t able to open the last set of draft minutes that were previously submitted.

E. CITIZEN REMARKS & PRESENTATIONS

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

Mr. Jim Becker owner of Unified Waste Systems said a few weeks ago he received a letter from Mr. Hancock regarding the Walls Volunteer Fire Department. It was regarding their annual dues and an update on a new facility they wish to build. He would like to report to the Board he has donated five acres to the Wall Volunteer Fire Department. The land is located on Liberty Hill Road.

Fire Chief Mike Hancock said they plan to build a two bay volunteer facility with space to house personnel who serve the Walls Fire Protection District.

Supervisor Mark Gardner asked where are the funds going to come from to build the building. Chief Hancock said they plan to borrow about \$650,000.

Supervisor Michael Lee asked about the fire trucks. Chief Hancock said Southaven has donated a fire truck. He said once the building is complete they will have two apparatuses.

Supervisor Jessie Medlin asked if the fire protection district had already been established. Chief Hancock said it has.

The Board thanked Mr. Becker for his land donation to the Walls Volunteer Fire Department.

F. APPROVAL OF AGENDA: ADDITIONS & DELETIONS

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

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

a. Health Insurance Contract - Humana

County Administrator Vanessa Lynchard said there had been an issue with the wording with our insurance agreement. An incorrect copay of \$35.00 was established instead of the \$25.00 copay. There are also other administrative problems and misapplications, such as wrongful denials of coverage.

Ms. Lynchard would like to have the Board Attorney Tony Nowak look over the contract and once he approves the changes have the Board President to sign the modified contract with Humana.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to hire Smith, Phillips, Mitchell, Scott and Nowak Law Firm to review the modified Health Insurance Contract with Humana and, upon legal council's approval, authorize Board President to sign the 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>ABSENT</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

Exhibit F.1.a

b. EMS Claim Contract - Railroad Medicare

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to approve EMS going into contract with Railroad Medicare for the purpose to bill for ambulance services.

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

Exhibit F.1.b

2. Supervisor Michael Lee requested adding the following item to the Agenda:

a. Thornridge Subdivision

This item was later determined to qualify for Executive Session

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

a. Tanger Outlet Mall

Mr. Nowak explained to the Board how a public improvement district (PID) had been created for the new mall, and that the PID has the authority to place special assessments on the property within the PID. Mr. Nowak then presented to the Board an agreement for the tax assessor to place the special assessments on the tax rolls, and for the tax collector to collect the special assessment.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to approve the Special Assessment Collection Agreement Among Outlet Shops of the Mid-South Public Improvement District, DeSoto County, Mississippi, DeSoto County, Mississippi Tax Assessor and DeSoto County, Mississippi Tax Collector, Relating to the Collection of Special Assessments and authorize Board President to sign the 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>ABSENT</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit F.3.a

b. Industrial Prospect- Project Kaley

This item was later determined to qualify for Executive Session.

c. Potential Litigation - Ryan Jones

This item was later determined to qualify for Executive Session.

4. County Road Manager Andy Swims requested adding the following items to the Agenda:

a. Adoption of Private Road off of Bethel Road

Mr. Swims stated Mr. Joseph Lee had initially requested the County to take in a private road off of Bethel Road in Olive Branch. A Committee was formed and they met and went and viewed the condition of the road. He said since that time Mr. Lee now has withdrawn his request.

Supervisor Jessie Medlin said one property owner, and the owner's mother, and brother contacted him and they do not want the County to take over that section of the road and would not give ROW.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to deny the request of adopting a private road off of Bethel Road into 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>ABSENT</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

5. Director of Facilities Robert Jarman requested adding the following item to the Agenda:

a. DHS

Mr. Jarman and DHS Director Tammy Crawford presented to the Board a modified change in the DHS build out. Mr. Jarman said he met with Ms. Crawford and they discussed her needs and the options available for extra office space. He stated when Youth Services move over to the Sheriff's office then DHS will move into their old location. This area will give DHS more office space and room for a training area. Mr. Jarman said the back of the facility has heating and air and the front section is large enough to hold training sessions. He intends to build about seven offices in the back and leave the front wide open for a training area. He said he could do all the work in house for around \$25,000 not including phones or computers.

Ms. Crawford said if we stick to this plan the State usually will reimburse the County up to 50% even possibly 75% as long as we stay under the \$25,000. She said she and Mr. Jarman will meet every year to determine the needs of DHS.

Supervisor Jessie Medlin asked about the rent reimbursement. County Administrator Vanessa Lynchard said they do not pay rent but the County can ask for monthly reimbursements on the following: phones, utilities, and janitorial services.

Ms. Vanessa Lynchard said the proposed plan with a new budget of \$25,000 is lower than the budgeted amount of \$150,000.

Mr. Jarman stated DHS requires them to get three quotes for the proposed work. He will submit a quote for all the work to be in house and obtain 2 quotes from outside contractors.

Supervisor Michael Lee made the motion and Supervisor Mark Gardner seconded the motion to approve Facilities Department to proceed with the modified build out plan for DHS and authorize Mr. Jarman to prepare a quote and obtain two quotes from outside contractors.

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

Supervisor Mark Gardner made the motion and Supervisor Michael Lee seconded the motion to approve the Agenda with the additions and deletions 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>ABSENT</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

Supervisor Bill Russell said he was contacted by a Delta View HOA asking for road to be striped for safety and for bike lanes. He said he plans to take County Road Manager Andy Swims out to the subdivision and see if it's feasible. They will report back to the Board.

G. CONSENT AGENDA

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

1. Department of Human Resources: Monthly Health Claims Report

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

Funding Request	Date Paid	Amount	Claim Type
Date			
4/1/15	4/8/15	\$81,118.15	Administration Fees
4/6/15	4/7/15	\$8,173.78	Medical
4/6/15	4/7/15	\$5,672.35	Dental
4/6/15	4/7/15	\$20,078.78	Pharmacy
4/13/15	4/13/15	\$9,223.80	Medical
4/13/15	4/13/15	\$10,930.92	Dental
4/13/15	4/13/15	\$17,761.19	Pharmacy
4/21/15	4/23/15	\$232,600.20	Medical
4/21/15	4/23/15	\$8,294.75	Dental
4/21/15	4/23/15	\$37,697.15	Pharmacy
4/27/15	4/28/15	\$99,119.75	Medical
4/27/15	4/28/15	\$6,446.05	Dental
4/27/15	4/28/15	\$14,002.93	Pharmacy
	TOTAL	\$551,119.80	

2. Publication of Board Proceedings

3. Office of Finance & Accounting

a. Budget Amendments

(1)	FOR DEPARTMENT OF ROAD MGT.				
ACCT #	LINE ITEM	ANNUAL BUDGET	INCREASE	DECREASE	NEW ANNUAL BUDGET
156-300-570	Insurance and fidelity bonds	300	50		350
156-300-594	Other contractual services	70,000		50	69,950
TOTALS		70,300	50	50	70,300
Reason for Request:	To adjust line item 570 for an additional surety bond payment.				
Requested by:	Andy Swims				
(2)	FOR COUNTY REGISTRAR				
ACCT #	LINE ITEM	ANNUAL BUDGET	INCREASE	DECREASE	NEW ANNUAL BUDGET
001-181-501	Postage	37,057	4,000		41,057
001-181-523	Contractual printing	40,943		4,000	36,943
TOTALS		78,000	4,000	4,000	78,000
Reason for Request:	To pay for additional postage for returned voter registration cards charged by the Post Office for additional forwarding address cards for return voter registration cards				
Requested by:	Dale Thompson				
(3)	FOR SHERIFF				
ACCT #	LINE ITEM	ANNUAL BUDGET	INCREASE	DECREASE	NEW ANNUAL BUDGET
001-202-671	GASOLINE	554,300		40,000	514,300
001-222-552	MEDICAL FEES	395,000		950	394,050
001-222-559	OTHER PROF FEES	1,500	950		2,450
001-222-696	PHARMACY SUPPLIES	120,000	40,000		160,000
TOTALS		1,070,800	40,950	40,950	1,070,800
Reason for Request:	To adjust accounts for budget deficits.				
Requested by:	Donna Ford.				
(4)	FOR SHERIFF				
ACCT #	LINE ITEM	ANNUAL BUDGET	INCREASE	DECREASE	NEW ANNUAL BUDGET
001-000-297	Other state revenues	(182,107)	(75,000)		(257,107)
001-202-925	Radios	40,000	75,000		115,000
TOTALS		(142,107)	0	0	(142,107)
Reason for Request:	To add additional state funds to be drawn down for the purchase of new mi-fi units to be installed in the 20 new sheriff's vehicles. The funds come from assessments on traffic tickets to reimburse the county.				
Requested by:	John Mitchell/Macon Moore				

b. Inventory Dispositions: Final

1) IT Department: Final

DEPT	IT DEPT										DEPT #:	152
ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C C O S T	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION	DATE OF FINAL APPROVAL		
39132	NEC 22" LCD MONITOR	78109242GA	VGA Port bad	07	3H	IT DISPOSAL	04/06/15	Felicia Hopper	E-WASTE			
39192	CANON PIXMA ALL IN ONE PRINTER	AAXC29107	will not feed paper	08	2H	"	"	"	"			
39193	CANON PIXMA ALL IN ONE PRINTER	AAXC74666	bad print head	08	2H	"	"	"	"			
39630	ACER 19 INCH LCD	ETLB50802382308F7B4230	will not power on	09	2H	"	"	"	"			
40557	SAMSUNG 19" LCD MONITOR	MY19H9NSC45416	lines on screen	10	2H	"	"	"	"			
40930	DELL OPTIPLEX	7B3Q3B1	bad power supply	11	3H	"	"	"	"			
41540	HP LASERJET PRNTR	CNF9BCY1K5	bad fuser	11	2H	"	"	"	"			
42585	DELL OPTIPLEX 745	CFX6PD1	blown motherboard caps	12	2H	"	"	"	"			
43101	SONIM ARMOR XP3400	270113179409564081	power port broken	13	3H	"	"	"	"			
43123	APPLE IPHONE 4	C8TK92V8DP0V	broken screen	13	5H	"	"	"	"			
43134	APPLE IPHONE 4	C8TK9413DP0V	broken screen	13	5H	"	"	"	"			
43260	APPLE IPAD 2 16GB	DR5KW17KDFJ1	broken screen	13	5H	"	"	"	"			
43528	DELL 20" MONITOR	MX0G324H7426213H1THL	LED back light bad	14	2H	"	"	"	"			
43937	APPLE IPHONE 4	99000402133732	broken screen	14	5H	"	"	"	"			

AUTHORIZATION TO DISPOSE				INVENTORY CLERK INFORMATION			NOTES	
SIGNED BY: <u>Felicia Hopper</u>	DATE: <u>03/25/15</u>	PRESENTED TO BOS	UNITS DISPOSED IN E-WASTE TRAILER					
PRINT NAME: <u>Felicia Hopper</u>		<u>April 6, 2015</u>						
		PRESENTED TO BOS						
DISPOSED BY: <u>FELICIA HOPPER</u>	DATE: <u>04/10/15</u>	<u>May 4, 2015</u>						
PRINT NAME: _____		DATE INVENTORY DISPOSED IN A S400						
INV CLERK: <u>CHARMAINE MCCOOL</u>	DATE: <u>03/25/15</u>	DATE BOS FINAL MINS ATTACHED						

2) Sheriff Department – Patrol: Final

DEPT	SHERIFF DEPARTMENT										DEPT #:	200
ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C C O S T	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION	DATE OF FINAL APPROVAL		
39843	FORD 2007 CV	2FAHP71X97X157294	DECLARE AS SURPLUS / USING FOR FOR PARTS	09	13K	SO CENTRAL MAINTENANCE	10/06/14	USING FOR PARTS ONLY				
		<u>HIGH MILEAGE: 164,000</u>	<u>PULLED FROM SERVICE: SEP2014</u>									

AUTHORIZATION TO DISPOSE				INVENTORY CLERK INFORMATION			NOTES	
SIGNED BY: <u>LESLEY LOFTON</u>	DATE: <u>10/01/14</u>	PRELIMINARY PRESENT TO BOS	UNIT WILL NOT BE SOLD, DEPARTMENT IS USING IT FOR PARTS ONLY.					
PRINT NAME: _____		<u>October 6, 2014</u>						
		FINAL PRESENT TO BOS						
DISPOSED BY: <u>AMY HENLEY</u>	DATE: <u>04/15/15</u>	<u>May 4, 2015</u>						
PRINT NAME: _____		DATE INVENTORY DISPOSED IN A S400						
INV CLERK: <u>CHARMAINE MCCOOL</u>	DATE: <u>10/01/14</u>	DATE BOS FINAL MINS ATTACHED						

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

a. Request to Make Revised Road Register and Map Part of Permanent Minutes

5. Road Department

a. Road Report b. Work Schedule c. Road Bond Report d. School Bus Turnaround: 5455 Baldwin Rd., Horn Lake e. Request to Travel: Andy Swims

6. Office of Procurement: Request to Reimburse Lynn Ford- Gasoline Purchase

7. Constable Annual Financial Report: Constable Hylander, Constable Holloway

8. Chancery Clerk Allowance (1) \$ 1,550.00

9. Tax Assessor’s Office: Corrections for the 2014 Land Roll

Notice to Increase the Assessment of Real / Personal Property (1)

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to approve the consent agenda items as presented, with the amended Constable Annual Financial Report to include Constable Liz Medlin’s report.

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

See Exhibit G

H. OLD BUSINESS

1. Trademarking the Phrase “if you litter shame on y’all”

Mr. Robert Quimby of Smith, Phillips, Mitchel, Scott and Nowak Law Firm gave a report to the Board of Supervisors on options for trademarking the phrase “if you litter shame on y’all”.

The Board of Supervisors decided not to take action on the above matter. It was determined after much discussion with Mr. Quimby and Board Attorney Tony Nowak it would not to be feasible to spend tax payer’s money to trademark the phrase.

I. NEW BUSINESS

1. Business Investment Incentives: 10:00 a.m.

a. Diamond Comics Distributors, Inc. – Personal - 5 yrs. - \$1,565,036.45

Jim Flanagan, President and CEO of the DeSoto Economic Development Council, introduced Mr. Shawn Hamrick, Executive Director of Operations of Diamond Comic Distributors, Inc. Mr. Flanagan said they are seeking an investment incentive ad valorem taxation for personal property for a period of five years as detailed in Exhibit I.1.a.

Mr. Hamrick stated they are the world’s largest distributor of comic book, graphic novels and related merchandise and have plans for future growth in DeSoto County.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve a 5 year Personal Property Business investment incentive as detailed in Exhibit I.1.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>ABSENT</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.1.a

b. Rexam Beverage Can Company – Personal – 5 yrs. - \$4,979,210

Jim Flanagan, President and CEO of the DeSoto Economic Development Council, introduced Mr. Elliott Hughes, CFO and Tom Sislow, Tax Specialist of Rexam Beverage Can Company. Mr.

Flanagan said they are seeking an investment incentive ad valorem taxation for personal property for a period of five years as detailed in Exhibit I.1.b.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve the investment incentive ad valorem of personal property as further detailed in Exhibit I.1.b for a period of five years.

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

See Exhibit I.1.b

2. Approval of State Aid Program: Overlay Portions of Getwell Rd. and Red Banks Rd.

DeSoto County State Aid Engineer Tracy Huffman appeared before the Board of Supervisors and presented an overlay project portion of Getwell Rd. and Red Banks Rd. He stated this program is funded 100% with state aid funds.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve the Board of Supervisor to sign the State Aid Project No. SAP-17(14)M and approve the specifications for the project as recommended by State Aid Engineer as detailed in Exhibit I.2.

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

See Exhibit I.2

3. Office of Procurement:

a. Sole Source Purchase of Election Equipment, Purchase Greater than \$25,000

DeSoto County Election Chairman Danny Klein and Commissioner Sissie Ferguson appeared before the Board of Supervisors to discuss purchasing and implementing e-poll books for the 39 voting precincts. Mr. Klein said 50 e-poll books were purchased a while back as a trial backup system to the paper poll books where voters are registered. They would like to purchase the additional e-poll books to have two books at each voting precinct.

Mr. Klein gave a demonstration of the e-poll book to the Board of Supervisors. A voter would walk up to an e-poll book location and state his or her name and produce a driver license or any other state-issued identification card that has been approved by the Mississippi Secretary of State's Office to the Poll manager. The Poll manager will scan the identification card. If a voters name doesn't show up on that precinct's poll book, a countywide voter search will show that voter the proper voting precinct location and where they should go to cast their ballot.

Election Commissioner Sissie Ferguson stated this is being done for efficiency and accuracy. The paper poll books are primarily used for a lookup tool.

Supervisor Mark Gardner wanted to know what happens when a voter hands them an expired driver's license. Commissioner Klein stated the information is accepted for upwards of 10 years after that license has expired.

Supervisor Bill Russell asked if they are networked together during the Election. Commissioner Klein said there is management software and it can keep up with voter turnout minute by minute.

Supervisor Michael Lee asked if all Election Commissioners are in favor of the e-poll books. Commissioner Klein said Commissioner Tina Hill feels we should first purchase scanners.

Supervisor Jessie Medlin wanted to know how or who will enter in the registered voter's information. Commissioner Klein said reports are exported from the State.

Supervisor Lee said he would like to do some more research on this matter.

Supervisor Michael Lee made the motion and Supervisor Mark Gardner seconded the motion to table the matter until May 18, 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>ABSENT</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.3.a

b. Bids under Advisement

1. Pharmaceutical Supplies

Director of Administrations and Procurement Pat McLeod presented for Board approval a bid tabulation for the Rebid of Pharmaceutical Supplies as fully described in Exhibit I.3.b.1. She stated that EMS Director Fiodor Baranuik requested that the bid be awarded based on the lowest price per line item. Ms. McLeod also stated that the bid was written where it could be awarded by individual line item, categories, or total bid.

At the recommendation of the Director of EMS and Director of Administrations and Procurement Pat McLeod, Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to approve awarding the bid based on the lowest price per line item as fully explained in Exhibit I.3.b.1 of the Re-Bid of Pharmaceutical Supplies Bid file 15-240-003 for a period of six months with the right to renew for one additional six month period; bid period begins on May 5, 2015; includes a budget increase of 5% over FY14.

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

See Exhibit I.3.b.1

2. Hot Mix Asphalt Overlay on Various Roads

Director of Administration Services and Procurement Pat McLeod presented the bid results on the Hot Mix Asphalt Overlay on Various Roads as follows:

Bid Tab #15-156-021
Hot Mix Asphalt Overlay on Various Roads

BID ITEM	QUANTITY (TONS)	Lehman-Roberts Company		APAC-Tennessee	
		UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
Projects Greater than 400 Tons	18481	\$ 78.24	\$ 1,445,953.44	\$ 99.00	\$ 1,829,619.00
Projects Less than 400 Tons	132	\$ 140.00	\$ 18,480.00	\$ 125.00	\$ 16,500.00
Patching	741	\$ 140.00	\$ 103,740.00	\$ 225.00	\$ 166,725.00
Trench Widening	500	\$ 120.00	\$ 60,000.00	\$ 150.00	\$ 75,000.00
Milling	1864	\$ 38.43	\$ 71,633.52	\$ 49.00	\$ 91,336.00
			\$ 1,699,806.96		\$ 2,179,180.00
RECOMMENDATION: Lehman-Roberts Company					

Ms. McLeod recommended the bid from Lehman Roberts as the lowest and best bid.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to approve the bid from Lehman Roberts as the lowest and best bid for the Hot Mix Asphalt Overlay on Various Roads.

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

See Exhibit I.3.b.2

4. Facilities Management:

a. Facilities Update:

1. Chiller Update

Facilities Director Robert Jarman presented a report including photographs regarding the issues with the Chiller since March 2, 2015 as further detailed in Exhibit I.4.a.1.

Mr. Jarman stated some changes have been made to the programming. The Chiller seemed to be running when it was unnecessary. The program changes have improved the monthly invoices.

On April 14, 2015 we had representatives from Siemens and McQuay on site for Chiller efficiency testing. Tests were performed on Chiller 1 at design specifications. Mr. Jarman said Chiller 1 is not producing according to specifications. It could only produce between 130 and 150 tons at 100% RLA. The McQuay representative made some changes to the compressor controller and the expansion valve settings to get a 14 delta.

Mr. Jarman stated at this time, Chiller 1 still is not producing as designed. He said plans are being made for a return trip by both Siemens and McQuay to complete testing and cleaning as well as final adjustments.

Mr. Jarman said on April 7, 2015 one of the joints on the 8” return line broke. When the pipes were uncovered there was another joint leaking in a second pipe. Repairs to the underground chiller lines were completed after many late hours spent in a deep hole. Mr. Jarman stated after talking with Siemens they have agreed to replace all joints at that location at no cost to the County.

Supervisor Mark Gardner thanked Mr. Jarman for staying on top of this situation.

See Exhibit I.4.a.1

2. Fire Alarm for Court House

Facilities Director Robert Jarman said the existing system was installed by State Systems and it is 14 years old and obsolete. It has an internal ground that is causing it to stay in alarm mode. The system beeps constantly and has to be silenced. The system has old pull stations and smoke detectors that need to be upgraded to give us point notification. The current system does operate and is covering the building at this time but is going bad and may go out at any time.

Mr. Jarman presented two quotes for a new Fire Alarm for the Court House. He said the quotes were obtained from companies that have Fire Lite nonproprietary type systems. This means any company could work and monitor the system. The new system will be able to tell fire fighters the location of the fire even down to a closet. There are two quotes, one from Ellendale Electric and the other from Nichols Fire & Security. Mr. Jarman recommended the quote from Nichols Fire & Security as detailed in Exhibit I.4.a.2.

At the recommendation of the Facilities Director Robert Jarman, Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to approve the quote from Nichols Fire & Security as the lowest and best quote and to amend the budget for the funds to come from the contingency fund.

The motion passed by a vote as follows:

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

See Exhibit I.4.a.2

3. Jail Phase 2

Facilities Director Robert Jarman said all the exterior walls are in place and the concrete topping on the roof is being poured. The interior electrical and plumbing is being installed.

Mr. Jarman said as of April 15, 2015 the contracts has been paid \$5,281,641.48 with \$3,111,985.52 left on the contract. The job is on schedule with a new completion date of September 20, 2015. They asked for an additional five days due to weather.

See Exhibit I.4.a.3

4. Sheriff's Administration Building

Facilities Director Robert Jarman gave an update to the Board regarding the work being done to the Sheriff's Administration Building. He said most of the electrical has been run. They are pretty close to closing in the front of the building. The project completion date is now September 23, 2015. This is 11 more days than the last update due to the colder temperatures. As of March 31, 2015 they have been paid \$1,088,085.43 with \$1,261,914.57 left on contract.

See Exhibit I.4.a.4

b. Creation and Appointment of Building Management Committee

County Administrator Vanessa Lynchard said Facilities Director Robert Jarman suggested creating a committee where the Board could be more proactive in maintaining County buildings. Ms. Lynchard presented the proposed Building Management Committee as follows:

LOCATION OF BUILDINGS

Buildings in District 1
Buildings in District 2

APPOINTEES

Supervisor Medlin - District 1 and Supervisor Gardner - District 2
Supervisor Gardner - District 2 and Supervisor Russell - District 3

Buildings in District 3
Buildings in District 4
Buildings in District 5

Supervisor Russell - District 3 and Supervisor Caldwell - District 4
Supervisor Caldwell - District 4 and Supervisor Lee - District 5
Supervisor Lee - District 5 and Supervisor Medlin - District 1

Robert Jarman and Vanessa Lynchard to be on each committee.

Ms. Lynchard said Mr. Jarman created a building inspection list as further explained in Exhibit I.4.b that his department would use to assess the current condition of each building, predict and plan on coming issues that might require attention, and better manage the department's budget. He would enact the committee if they found deficiencies.

At the recommendation of County Administrator and Facilities Director, Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to approve forming a Building Management Committee as fully described in Exhibit I.4.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>ABSENT</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.4.b

c. Sheriff's Office Roof – Quote and Change Order

Facilities Director Robert Jarman said the Sheriff Administration contract has a contingency fund for unforeseen items such as the roof issues. He presented three quotes and asked the Board of Supervisors to review and approve a change order to allow for repairs to the roof. He said the Jail Committee has looked at the quotes and their recommendation was the fluid applied roof coating from Baker Roofing.

Mr. Jarman said ViktorHall construction will be responsible for overseeing the roofing contractor. They will amend their contract to include this work for the roof.

Supervisor Mark Gardner made the motion and Supervisor Michael Lee seconded the motion to approve the change order in the amount of \$40,036.00 to the Jail Administration Building contract with ViktorHall to allow for work to be done on the roof, finding the leaking roof was unforeseen and the repairs are necessary or incidental to the scope of the contract as originally bid, is not a new undertaking outside the original scope of the construction contract, the costs are commercially reasonable, the change order is not made to circumvent the public purchasing statutes and the resulting increase or decrease in cost is reasonable. The motion included authorization for the Board President to sign the final document.

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

Exhibit I.4.c

5. Earth Day Review

Director of Administrative Services Pat McLeod gave a recap to the Board regarding the Annual Earth Day Event. Ms. McLeod said there were a total of 7 meetings with 14 entities sponsored with one representative from each city attending meetings and preparing for Earth Day. There were approximately 50 exhibitors and 79 volunteers participating in the event.

Ms. McLeod said Administrative Assistant Lynn Ford, followed up with all of the exhibitors from start to finish. She said that Lynn did a great job attending the meetings, taking notes and making sure everyone knew their responsibilities. Ms. McLeod thanked Lynn for all of her hard work and dedication to ensure a successful day.

Environmental Services Manager Ray Laughter said he wanted to give a special thanks to the Sheriff and the trustees for their help. He said they were there at 7:00 a.m. and ready to work and did an excellent job.

6. Office of Finance and Accounting

a. Claims Docket

Chief Financial Officer Tom Arnold, of the Office of Finance and Accounting, presented the claims docket to the Board. Mr. Arnold stated they had included the cell phone bills twice, so they deducted the duplicate bills in the general, road and bridge funds. The amount they reduced the docket was \$5,251.00 for a new total of \$3,497,387.34.

Mr. Arnold read the items on the claims docket individually and the Board discussed these items.

Supervisor Jessie Medlin asked about the phone charges being grouped together and not separated out by telephone numbers or person. Mr. Arnold said each person's cell phone bill runs about \$27.00 each month. Mr. Arnold stated the IT department monitors the monthly cell phone bills. It was noted that EMA phones are a little higher than the other departments.

Supervisor Mark Gardner asked about the following claims:

- Page 7: Insurance, Farm/Crawford. Mr. Arnold said it was for an old supplemental payment on an old claim.
- Page 11: Mailfinance. Mr. Arnold this is postage that is paid quarterly.
- Page 14: Furniture Specialist. Mr. Arnold said it was to purchase a chair for Human Resources.
- Page 16: Ewing Kessler. Mr. Arnold said it is a maintenance agreement we have with them to service the Chiller. It is paid quarterly.
- Page 19: Aquaworks Pool. Mr. Arnold said the fountain in front of Administration building needed a new pump.
- Page 20: Woodson & Bozeman. Mr. Arnold said it was a part of some kind. He will get more information.
- Page 20: Furniture Specialist/Desk. Mr. Arnold said it was for a desk needed for Human Resources the old one would not accommodate their new location.
- Page 25: Black Box Network. IT Director John Mitchel said it is a monthly bill for the service maintenance agreement on phone system.
- Page 25: Zones. Mr. Mitchell said these are internal sticks that go into main unit of computers.
- Page 45: Integrated Communications. County Administrator Vanessa Lynchard said it is for air time for the hand held walkie-talkies.
- Page 46: Gulf State Distributors. Mr. Arnold said it is ammunition for SWAT.
- Pages 51-59: Performance Food Group. Supervisor Gardner asked Mr. Arnold to compare what was spent last year amount to this year. Mr. Arnold said the meals in FY14 were \$31,714 and so far in FY15 it's been over \$28,000 but there was a 4% increase in the prices.
- Page 89: Panolian Newspaper. Mr. Arnold said this was Judge Lundy's newspaper subscription.
- Page 104: Butch Oustalet Inc. County Road Manager Andy Swims said it was the shipping fees. He said it was cheaper to pay the shipping fees than send an employee to the coast to pick up the vehicle.
- Page 108: Big River Industries. Mr. Swims said it is clay aggregate for bad weather.
- Page 109: Butch Oustalet Inc. Mr. Swims said this invoice is for the new vehicle for one of his Superintendents.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Mark Gardner made the motion and Supervisor 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>ABSENT</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

7. Road Department

a. Surplus Equipment Declaration

County Road Manager Andy Swims stated Units #13 and # 14 of Exhibit I.7.a were previously approved by the Board of Supervisors to be declared surplus but they were later found to be sufficient, and, therefore, the Road Department would like to request the trucks to be kept for their use.

Mr. Swims said additionally unit #87 of Exhibit I.7.a should be declared surplus and sold at auction.

Supervisor Mark Gardner made the motion and Supervisor Michael Lee seconded the motion to approve declaring the following equipment for 2014 surplus as set forth below:

Asset #	Unit #	Description	Date of purchase	Tag #	Serial #	Mileage /Hours	Initial Cost	Selling Price
35897	05	2007 GMC TRAILER BLAZER	4/07	G041415	1GNDT13S672222155	108,976M	21,231	4,000
35903	07	2007 CHEVY	5/07	G041870	1GCK29K87E529920	163,447M	26,025	6,500
33683	93	2004 CHEVY SLVRDO 4WD	3/04	G029257	1GCEK19Z242276334	153,500M	21,891.18	5,000
33779	97	2005 GMC 2500	5/05	G033382	1GTHC29U25E266898	132,413M	19,640	5,000
34318	99	2006 FORD EXPOLORER	3/06	G036552	1FMEU72E186UB03645	124,384M	20,300	4,000
38031	147	2006 CHEVY CC7500 BOOM TRUCK	9/05	G035143	IGBP7C1C46F400819	104,006M	77,940	20,000
35868 35869	683	JOHN DEERE 6420 TRACTOR W/ALAMO SIDE MOUNT MOWER	7/06		L06420H486299 01100	4696H	87,745	25,000
36009	714	JOHN DEERE 6430 TRACTOR W/ MOWER	8/08		L06430H57579 AX 2201169	3306H	88,876.69	25,000
Adding (To Sell)								
33668	87	2004 FORD F350 DUALY	2/04	G028581	1FTWW33P04EC142721	119,746M	28,177.34	
Deleting (Keeping)								
35922	13	2007 CHEVY DUALY	8/07	G042941	1GCJK33667F541898	153,298M	35,405	
35923	14	2007 CHEVY DUALY	8/07	G042940	1GCJK33667F542968	113,736M	35,405	

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

See Exhibit I.7.a

b. Finding of Fact – 5988 Hacks Cross Road

County Road Manager Andy Swims stated a finding of fact has been made at 5988 Hacks Cross Road, where erosion is occurring and thereby affecting the health, safety and welfare of the public. Mr. Swims presented pictures of the damages and problems with the bank and yard erosion.

Mr. Swims said it would be necessary to install a drainage pipe at an estimated cost of \$4,644

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to accept the finding of fact and that the conditions on 5988 Hacks Cross Rd. where erosion is occurring, and thereby adversely affecting the health, safety and welfare of the citizens of DeSoto County; that installing a drainage pipe to allow proper water flow will help prevent future flooding and protect the road and right of way, and to authorize the Road Manager to proceed with the repairs at an estimated cost of \$4,644.00; in accordance with Mississippi code section 19-3-41 and 19-5-92.1.

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

See Exhibit I.7.b

8. Board Attorney: Addendum to Host Agreement, Unified Waste Systems (Formerly DeSoto Group)

Board Attorney Tony Nowak stated Environmental Services Manager Ray Laughter requested he prepare an addendum to the host agreement with Unified Waste Systems (formerly DeSoto Group) Mr. Nowak said the addendum extends the term of the host agreement by 4 years, increases the county's disposal fee from \$2.15 per cubic yard to \$2.35, allows Unified to assign its contract rights and notes that DeSoto Group was bought out by Unified.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to approve the addendum to the host agreement with Unified Waste Systems (formerly DeSoto Group) as further explained in Exhibit I.8 and authorize 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>ABSENT</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.8

9. Proclamation for National Day of Prayer – May 7, 2015

Supervisor Mark Gardner said Thursday, May 7, 2015 is National Day of Prayer and each government entity has been asked to issue a proclamation at the gathering at Brown Baptist Church. Supervisor Gardner read the following Proclamation for National Day of Prayer - May 7, 2015:

**DESOTO COUNTY, MISSISSIPPI
PROCLAMATION
NATIONAL DAY OF PRAYER**

WHEREAS, the national Day of Prayer is a tradition first proclaimed by the Continental Congress in 1775 and it is eminently fitting and proper that this day be observed as a period when all may express gratitude to God for freedoms we enjoy and also to pray that this country and its people will continue to be blessed and made stronger in our moral values; and

WHEREAS, *leaders of our nation have relied upon the power of prayer throughout American history; and*

WHEREAS, *this year's National Day of Prayer theme is "Lord, Hear Our Cry" and*

WHEREAS, *we are at a time in our nation's history when we must emphasize the need for individuals, corporately and individually, to place their faith in the unfailing character of their Creator, who is sovereign over all governments, authorities, and men.; and*

WHEREAS, *by the unanimous action of both Houses of the United States Congress, the President signed a Bill establishing the first Thursday of May as the National Day of Prayer; and*

WHEREAS, *this year marks the 64th consecutive annual National Day of Prayer celebrated throughout the nation.*

NOW, THEREFORE, *we, the DeSoto County Board of Supervisors, do hereby proclaim May 7, 2015, as:*

NATIONAL DAY OF PRAYER

In DeSoto County, Mississippi and call this observance to the attention of all of our citizens.

In Witness whereof we have here into set our hand and caused this seal to be affixed this Seventh day of May, 2015.

Bill Russell, President
DeSoto County Board of Supervisors

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to approve the Board President to sign the Proclamation for National Day of Prayer and authorize participation in the gathering at Brown Baptist Church.

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

See Exhibit I.9

J. PLANNING

1. PUBLIC HEARING (11:00 am)

a. Rezoning Amendment

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to open the public hearings for the Miller Center (733); Villages at Hawks Crossing, 3rd. Revision (734); and Robinson Crossing, Area 3 (736). The motion was unanimously approved.

**i. 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**

Ms. Hendricks, Planning Director Interim said the Planning Commission had approved this rezoning, but she had received one phone call opposing this application.

Supervisor Russell asked that the minutes from the Planning Commission be added to the exhibits of this meeting.

Mr. Mike Bailey, the applicant, said there would be sidewalks all the way down in front of the property. He said that MDOT has not been contacted, but he will do whatever MDOT requires.

Supervisor Medlin asked about the alignment of the road on the property and were they paying for the alignment. Mr. Bailey said yes.

Mr. Bailey said the meeting with the community had been done and they addressed the issues of lighting, possible bridge with architectural designs.

Supervisor Lee asked what would be in the corner of the property. Mr. Bailey said they would have some offices, and convenience stores.

Supervisor Medlin said he has concerns with a commercial project on 3.1 acres. He asked if the one opposition was for the store and lighting.

Supervisor Russell asked if the change in the neighborhood was sufficient for the zoning change.

Board Attorney, Tony Nowak said the Board of Supervisors has to find that there has been a substantial change in the character of neighborhood since the last time it was zoned, and there is a public need for the rezoning. Mr. Nowak noted that the applicant has demonstrated that the property is adjacent to I-269 and within the Hwy 78 corridor, and there are PUD developments to the north and south.

Ms. Hendricks said that everyone in the area was notified about this request for zoning change.

Supervisor Medlin said it looks like farm land mostly and he doesn't see the change in the neighborhood that would allow for the zoning change. He said that Bob Barber should be present at the Board meeting.

Mr. Bailey said there is a hospital and doctor offices in the area and that the project would allow for the realignment of the road.

Supervisor Medlin made the motion and Supervisor Lee seconded the motion to deny the rezoning change as presented.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	NO
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	ABSENT
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	NO

Supervisor Medlin made the motion and Supervisor Mark Gardner seconded the motion to take under consideration the Miller Center (733) application until a meeting with Bob Barber and Mike Bailey can be done to discuss the acceleration lanes with MDOT and bring to the Board on May 18, 2015.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

ii. Villages at Hawks Crossing, 3rd Revision (734) - Application is for approval of a text amendment to the previously approved Outline Plan of Areas 21 through 24, identified as Parcel #2-06-9-31-00-0-00004-00. Subject property is located west side of Craft Road and north of Byhalia Road in Sections 29 and 30, Township 2, Range 6 and is zoned Planned Unit Development (PUD). (District 5) Applicant: Boyle Hawks Crossing Partnership

Supervisor Lee said that I269 has taken up land that belonged to the developers, so they would like for the property to revert section 22 back to Agriculture-Residential (AR).

Bob Ginn, representative for the project, addressed the Board. He said that when MDOT constructed the interstate they changed the plans from what was approved in 2006. This caused the developer to lose about 1/3 of the property they purchased. Therefore they cannot build what was approved on this project. The applicant is proposing to amend the Permitted Uses and site plans in areas 21 through 24 of the PUD. The applicant has submitted new plans that will change areas 21, 23 & 24, and eliminate area 22 and revert the zoning to AR.

Supervisor Lee made the motion and Supervisor Gardner seconded to the motion to accept the revision of the plans for Villages at Hawks Crossing, 3rd Revision, based upon the changes in the character of the neighborhood occurring since the last rezoning of the property, and the public need for supporting the revisions.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

iii. 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 applicant is proposing to amend the side setbacks in Area 3 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. Ms. Hendricks said notifications were posted in the paper, but the Planning Department has not heard any from anyone opposing this request.

Supervisor Russell said he would like to see an endorsement from HOA pro or con.

Supervisor Russell made the motion and Supervisor Gardner seconded the motion to table the Robinson Crossing, Area 3 (736) application until the Board hears from the HOA.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to continue the Public Hearing on May 18, 2015.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

2. NEW BUSINESS

Ms. Hendricks presented the consent agenda and stated the applications conform to the DeSoto County Subdivision Ordinance and that staff does recommend approval of the Consent Agenda.

a. CONSENT

i. Hearn Manor (6987) - Application is for final subdivision approval of one (1) lot on 7.59 acre(s) and one (1) lot on 4.00 acre(s) identified as Parcel(s) #3-05-3-05-00-0-00002- 00. Subject property is located on the south side of Byhalia Rd. and east of Louise Rd. in Section 5, Township 3, Range 5 and is zoned Agricultural (A). (District 1) Applicant: Jonathon & Heather Hearn

ii. Klimis Minor Lot (6990) - Application is for final subdivision approval of one (1) lot on 7.39 acre(s) and one (1) lot on 7.39 acre(s) identified as Parcel(s) #2-06-8-28-00-0-00011- 02. Subject property is located on the east side of Ross Rd. and north of Byhalia Rd. in Section 28, Township 2, Range 6 and is zoned Agricultural-Residential (A-R). (District 5) Applicant: Shawn Klimis

iii. Andrew Young Minor Lot (6991) - Application is for final subdivision approval of one (1) lot on 2.00 acre(s) and one (1) lot on 2.00 acre(s) identified as Parcel(s) #3-08-4-17-00- 0-00003-00. Subject property is located on the south side of Hwy 304 and east of Fogg Rd. in Section 17, Township 3, Range 8 and is zoned Agricultural (A). (District 5) Applicant: Andrew Young

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the three (3) minor lots as presented and recommended by the Planning Commission.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

b. Preliminary Subdivision

i. Lee Rd. Subdivision (6939) - Application is for preliminary subdivision approval of thirty (30) 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 1) Applicant: EBI, Inc.

Ms. Hendricks said the Planning Commission had spoken with several people that were opposed.

Supervisor Lee said he had received a call concerning the distance of property lines and the size of homes.

Road Manager Andy Swims said he have received calls regarding the drainage in this area. Mr. Bailey said the drainage comes from the other side of the road not from this property. Supervisor Russell said Joe Frank Lauderdale needed to get with Andy Swims regarding drainage problems.

Supervisor Medlin made the motion to hold this item over until May 18, 2015. Supervisor Lee seconded this motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

c. Final Subdivision

i. Red Banks Road, Section A (6980) - Application is for final subdivision approval of one (1) lot on 4.11 acre(s) identified as Parcel(s) #3-05-3-07-00-0-00001-00. Subject property is located on the east side of Red Banks Rd. and north of Lee Rd. in Section 7, Township 3, Range 5 and is zoned Agricultural (A). (District 1) Applicant: EBI, Inc

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion for the final subdivision approval for one lot on 4.11 acres in the Red Banks Road Subdivision Section A.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

3. OTHER

i. Design Standards Variance Request – Old Hickory Clay Company, Getwell Road., District 5

Ms. Hendricks said Mr. Jason Enlow, Old Hickory Clay Company, has requested an exemption from the County Design Standards Ordinance for a building to be used to store and process clay prior to shipping. The building is located on the west side of Getwell Road approximately 0.7 miles north of Holly Springs Road, parcel #3-07-5-16-00-0-00030-0, in District 5.

Supervisor Medlin asked how long the building would be there. It was stated the lease is for 25 years.

Supervisor Michael Lee made the motion and Supervisor Bill Russell seconded the motion to waive the design standards for the Old Hickory Clay Company.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

ii. Clarification on Parking Ordinance

Supervisor Russell asked about the parking standards. Ms. Hendricks said there was a request by a person who wanted two driveways and this person has a corner lot.

Board Attorney Tony Nowak said they would have to meet current standards even though grass has grown over the old gravel driveway bed. If more than the majority of an old drive has to be repaired, then the current standards must be met.

No action was taken.

See Exhibit J

K. EXECUTIVE SESSION

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

L. OTHER

1. Correction to February 18, 2015 Minutes

Board Attorney Tony Nowak stated that due to an error in the February 18 minutes Dalinda Wade had been left off of a spreadsheet showing salary adjustments, but since her name was included on the worksheet presented to the Board showing her salary adjustment, and the notes taken during the meeting reflect the worksheet was presented and was acted upon by the Board, the Board can find a scrivener's error was made as to the 2/18/2015 minutes. Based upon a finding of the scrivener's error the Board can approve the pay raise effective 2/18/2015.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to correct the minutes as set forth above due to a scrivener's error and authorize the pay raise to Ms. Wade effective 2/18/2015.

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

See Exhibit L.1

Supervisor Jessie Medlin made the motion to recess the Board meeting until May 11, 2015 at 8:00 a.m. The motion was seconded by Supervisor Bill Russell.

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

THIS the 4th day of May, 2015, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Bill Russell, President
DeSoto County Board of Supervisors