

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

MARK GARDNER, PRESIDENT PRESIDING

May 6, 2013

A. CALL TO ORDER

The May 6, 2013 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Mark Gardner, 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 absent
Supervisor Lee Caldwell	District 4
Supervisor Harvey Lee	District 5
Sheriff Bill Rasco	Sheriff
W. E. Sluggo Davis	Chancery Clerk
Vanessa Lynchard	County Administrator
Tony Nowak	Board Attorney

B. INVOCATION

Mr. Cecil Sowell presented the invocation.

C. PLEDGE OF ALLEGIANCE – Chief Macon Moore

D. CITIZENS REMARKS & PRESENTATIONS

1. 9:00 a.m. Greenprint Update

John Zeanah, Program Manager for Greenprint sustainability, appeared before the Board of Supervisors seeking their support in the Greenprint program. Greenprint is a guide and plan necessary to build regional connections and accessibility using green space. Mr. Zeanah said they are in the planning phase for building connections between existing and proposed green space infrastructure through the Mid-South. He said a \$2.6 million HUD Sustainable Communities Regional Planning Grant was awarded to Shelby County in 2011. Mr. Zeanah said when it was established, the boundaries were defined as the Memphis Metropolitan Plan Organization (MPO), and includes Shelby County and portions of Crittenden County, DeSoto County and Fayette County. He said when the grant was established the counties agreed to provide something for everyone. For example, DeSoto County has a greenways program and Shelby or other counties can learn from the things they are doing with greenways. Mr. Zeanah said it includes parks, greenways, wetlands and wildlife areas, open space areas, community garden, stormwater management areas and anything considered greenways. Mr. Zeanah said there is a consortium of over 80 colleges that are participating.

Mr. Zeanah said they encourage strong citizen input. The second Greenprint meeting will be held Tuesday, May 14th between 5:30 p.m. and 7:00 p.m. at the Landers Center in Southaven, MS. He encouraged people to take the three surveys online at www.midsouthgreenprint.org.

E. 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 2013.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to accept the minutes of the Board of Supervisors for April 2013, as presented this date with changes 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>YES</u>
Supervisor Bill Russell, Third District	<u>ABSENT</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit E

F. APPROVAL OF AGENDA: ADDITIONS AND DELETIONS

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

The following requests were made to add to the Agenda:

- 1.) Inventory Clerk, Char McCool - 2 final dispositions.
- 2.) Contracts Administrator, Melissa Grant – Northwest Community College for shadowing at Sheriff’s Department.
- 3.) County Administrator, Vanessa Lynchard requested adding the following for consideration for a possible executive session discussion.
 - a. EMS - Hiring
 - b. Facilities Management - Resignations
- 4.) Chancery Clerk, Sluggo Davis – Potential Litigation
- 5.) Road Department, Andy Swims – MOU with Olive Branch regarding Stateline Road – This item was heard in New Business, Item number I.8.c, Road Department.

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve the Agenda with the additions set forth above.

The motion passed by a vote as follows:

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

1. Inventory Clerk, Char McCool - 2 final dispositions

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve two final dispositions for the Sheriff’s Department as follows:

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
39799	FORD 2005 CROWN VIC	2FAHP71W75X156769	AUCTION - HIGH MILEAGE - NON-REPAIRABLE DUE TO COST / NRC	09	11K	SO - CENTRAL MTNC	01/07/13	SHERRY HERNDON	CRENSHAW AUCTION

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
34678	2004 FORD CROWN VIC	2FAFP1W44X155505	BAD TRANSMISSION - COST OF REPAIRS MORE THAN CAR VALUE - 240,000 MILES / NR-C	06	13K	SO LOT	12/17/12	SHERRY HERNDON	CRENSHAW AUCTION
41717	2003 FORD F150	2FTRX17L03CA99666	FORFIETURE SURPLUS / AUCTION IN JAN	11	5K	SID LOT	"	"	"
42498	1999 FORD EXPEDITION	1FMRU1768XLC31633	FORFIETURE SURPLUS / AUCTION IN JAN	12	18H	SID LOT	"	"	"

The motion passed by a vote as follows:

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

See Exhibit F.1

2. Contracts Administrator, Melissa Grant – Northwest Community College for shadowing at Sheriff’s Department

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve renewing the contract with Northwest Community College for students to shadow officers at the Sheriff’s Department, authorize the Board President to sign and make part of the minutes.

The motion passed by a vote as follows:

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

See Exhibit F.2

3. County Administrator, Vanessa Lynchard

a. EMS – Hiring

b. Facilities Management - Resignations

These items were later determined to qualify for executive session.

4. Chancery Clerk, Sluggo Davis – Potential Litigation

This item was later determined to qualify for executive session.

5. Road Department, Andy Swims – MOU with Olive Branch regarding Stateline Road

This item was heard in New Business, Item number I.8.c, Road Department.

G. CONSENT AGENDA

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

Supervisor Jessie Medlin asked about the budget amendment for the regular telephone service.

County Administrator Vanessa Lynchard said this was for moving phones for Circuit Court Administrators and the money is coming from ending cash for Circuit Court Administration for Senatobia offices.

Chief Financial Officer Tom Arnold said it is running higher than expected and it is paid out of a joint fund that all counties contribute to.

Supervisor Medlin asked about the final inventory disposition Facilities Management for trucks that were sold for scrap. Director of Facilities Management concurred with the Inventory Clerk, that the trucks were in terrible shape and falling apart. Ms. Lynchard said the trucks have not even been started in the last three years. Supervisor Harvey Lee agreed the trucks were in bad shape when he looked at them six months ago.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve the actions set forth in Consent Agenda as follows:

1. Dept. of Human Resources: Monthly Health Claims

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			
4/1/13	4/1/13	\$80,776.75	Administration Fees
4/1/13	4/1/13	\$30,802.84	Medical
4/1/13	4/1/13	\$9,391.55	Dental
4/1/13	4/1/13	\$10,846.82	Pharmacy
4/8/13	4/8/13	\$59,650.80	Medical
4/8/13	4/8/13	\$3,885.75	Dental
4/8/13	4/8/13	\$13,192.80	Pharmacy
4/15/13	4/16/13	\$45,301.94	Medical
4/15/13	4/16/13	\$4,706.80	Dental
4/15/13	4/16/13	\$13,523.28	Pharmacy
4/22/13	4/23/13	\$44,005.12	Medical
4/22/13	4/23/13	\$10,499.20	Dental
4/22/13	4/23/13	\$12,775.56	Pharmacy
4/30/13	4/30/13	\$41,886.77	Medical
4/30/13	4/30/13	\$9,153.20	Dental
4/30/13	4/30/13	\$15,605.95	Pharmacy
	TOTAL	\$406,005.13	

2. Justice Court Report

Monthly Report

Criminal Cases Filed	100
Civil Cases Filed	502
Traffic Tickets Filed	1,215
Total Cases Filed	1,817
State Assessments	\$ 97,596.25
County General Fund	\$127,239.65
Total Collections	\$224,835.90

3. Bailiff Pay

Liz Medlin	\$380.00
Chris Plumlee	\$380.00

Brandon Hylander \$300.00
 Bobby Holloway \$340.00
 Lee Hodge \$530.00

4. Publication of Board Proceedings

5. Office of Finance & Accounting

a. Approve Budget Amendments

b. Request for Transfer of Sheriff Seized Funds

Case #	Defendant	Date Seized	Receipt #	Amount	Date of Forfeiture
2013-1409	Roderick Walker	3/25/13	27556	\$320.00	4/30/13

c. Settlement of Insurance Claim for Sheriff's Department

d. Inventory Corrections

**1) To correct exhibit for January 7, 2013 minutes, Consent Item # H.5.c.3
 Final-Sheriff's Department**

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION	DATE OF FINAL APPROVAL
32724	HP LASER PRINTER	CNB5H10026	USB JACK BROKEN/NRC	02	2H	SHERIFF DEPT	12/17/12	C SCOTT	EWASTE	01/07/13
38844	HP LASERJET PRINTER	CNDY159690	PAPER TRAY & PAPER FEEDER ARE BROKEN & WILL NOT WORK - HAS BEEN WORKED ON BUT STILL DOES NOT	09	13H	"	"	"	"	"
39796	HP PHOTOSMART PRINTER	FGSS004158UC	USB PORT BAD/NRC	09	1H	"	"	"	"	"
40211	HP SCANJET SCANNER	CN99UA70CN	WILL NOT FEED PAPER CORRECT & JAMS/NRC	10	5H	"	"	"	"	"
40735	HP OFFICEJET PRINTER	TH05A214FF	PRINT HEAD BAD / REPLACEMENT PARTS NO LONGER AVAILABLE	10	2H	"	"	"	"	"
40828	19" VIEWSONIC MONITOR	QC6073970601	POWER SUPPLY BAD / NCR	10	1H	"	"	"	"	"
EXHIBIT RESUBMITTED TO CORRECT BOARD MINUTES OF 01/07/13										

**2) To correct exhibit for February 19, 2013 minutes, Consent Item # G.1.c.1
 Final-Facilities Management**

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
14077	1998 FORD RANGER	1FTYR14X1WPA50587	SURPLUS - AUCTIONED FOR SCRAP	98	15K	ROAD DEPT	09/04/12	JOHNNY CONLEE	SCRAP YARD	02/19/13
19028	1994 FORD RANGER	1FTCR10X7RUC55546	SURPLUS - AUCTIONED FOR SCRAP	94	10K	"	"	"	"	"
30667	2000 DODGE DAKOTA	1B7GL22X9YS634662	SURPLUS - AUCTIONED FOR SCRAP	99	15K	"	"	"	"	"

Exhibit Resubmitted to Correct Board Minutes of 02/19/2013

e. Inventory Dispositions - Preliminary/Final: Sheriff's Department

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION
38464	FORD 2001 CROWN VICTORIA	2FAFP71W01X129205	SURPLUS VEHICLE / NO LONGER USED	08	18H	CENTRAL MTNC	12/20/12	EDDIE VAN-STORY	DC SCHOOL DISTRICT

f. Inventory Dispositions: Final

1) I.T. Department

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	R A C	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION	DATE OF FINAL APPROVAL
37098	Acer PC	PSP30060086370433C2703	PROBLEMS WITH MACHINE - JUSTICE COURT UPGRADED -	06	6H	IT DISPOSAL CLOSET	01/22/13	ANDY ALBERSON	DC SCHOOL DISTRICT	
38084	Acer PC	PSP3706003716000DC2703	PROBLEMS WITH MACHINE - JUSTICE COURT UPGRADED -	07	5H	"	"	"	"	
38085	Acer PC	PSP3706003716000DC2703	PROBLEMS WITH MACHINE - JUSTICE COURT UPGRADED -	07	5H	"	"	"	"	
38086	Acer PC	PSP37060037160011F2703	PROBLEMS WITH MACHINE - JUSTICE COURT UPGRADED -	07	5H	"	"	"	"	
38106	Acer PC	PSP37060037210CE662703	PROBLEMS WITH MACHINE - JUSTICE COURT UPGRADED -	07	5H	"	"	"	"	
39147	Acer PC	PS008117488010006B0100	TO EXPENSIVE TO UPGRADE FOR TAX COLLECTORS OFFICE	08	6H	"	"	"	"	
39148	Acer PC	PS008117488010007B0100	TO EXPENSIVE TO UPGRADE FOR TAX COLLECTORS OFFICE	08	6H	"	"	"	"	
39149	Acer PC	PS00811748801000840100	TO EXPENSIVE TO UPGRADE FOR TAX COLLECTORS OFFICE	08	6H	"	"	"	"	
39150	Acer PC	PS00811748801000530100	TO EXPENSIVE TO UPGRADE FOR TAX COLLECTORS OFFICE	08	6H	"	"	"	"	
39151	Acer PC	PS008117488010007C0100	TO EXPENSIVE TO UPGRADE FOR TAX COLLECTORS OFFICE	08	6H	"	"	"	"	

ABOVE 10 ACER PC WILL BE SENT TO DC SCHOOLS INLIEU OF BEING DISPOSED. WAITING FOR LEGAL AGREEMENTS TO BE COMPLETED PER IT DEPT.

2) Road Department

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION
19062	1997 TRAILER 6'4" X 14' - OLD TRUSTEE TRASH PICK-UP TRAILER	4RTSU1423TS003082	NO LONGER SAFE ON ROADS - FALLING APART / NR-C / SCRAP	97	7H	ROAD DEPT	01/22/13	JIMMY COX	SCRAP YARD

6. Establish as Part of the Formal Record and Enter into the Board's Minutes: Interlocal Agreement with the Town of Walls for Fire Code Inspection Services

7. Request for Approval to Sign Purchase Requisitions

002-346-915	Vehicles Above \$5000							J.R. Conlee	
002-359-540	One Mill Mandatory Fund, Fleet Management							Tony Martin	
002-359-641	Facilities Mgt Service Calls							Tony Martin	
002-359-641	One Mill Mandatory Fund, NRCS Project							Tony Martin	
313-350-594	Building Supplies							Tony Martin	
313-350-594	One Mill Mandatory Fund, NRCS Project							Tony Martin	
380-301-909	Other Contractual Services							Tony Martin	
380-301-909	Vol Fire Dept Buildings, Eudora VFD Building							Tony Martin	
380-301-909	Other Improvements over \$25,000							Tony Martin	
	2013 Capital Expenditures, Courthouse Roof							Tony Martin	

8. Economic Assistance: Approve Officer Manager, Ethel Milhous to sign Purchase Requisitions

9. Road Department

a. Road Report

b. Work Schedule

c. Road Bond Report

d. Request to Make Part of Permanent Board of Supervisors Minutes: Changes to Official DeSoto County Road Register and Map-Removing Old Starlanding Road East

e. Request for Maintenance School Bus Turnaround: 6425 Honeysuckle Lane, Bus # 311/007, Owner-Jennifer Caraway, Phone 901-337-8682

10. Ratify Approval and Make Part of Minutes

a. Proclamation Day of Prayer May 2, 2013

b. Resolution of Appreciation – Ms. Kathy White

11. Remove Travel to Washington, D.C.

12. Chancery Clerk's Office

a. Objections to Homesteads

BRYAN, ANTHONY D	2073 0605 39.00
BURROUGHS, BONNIE S	1079 3103 143.00
COLVIN, DEVAUGHN	2061 0105 3.00
CORKERN, CHARLOTTE PINKSTON	3073 0707 52.00
DELOACH, REGINALD E	1065 2110 85.00
FREEMAN, OTIS R	2086 2400 7.01
GRANT, MARSHALL G	3095 1500 4.00
HENRY, GARY L	1088 3401 183.00
MARTIN, HENRY W	1065 2212 119.00
POOLE, THOMAS W SR	2062 0303 4.00
Baker, Cedric C	1076 2310 45.00
Gardner, Benny	1077 2617 235.00
Bruce, Winford W II	1069 3100 21.00
Crawford, Yvonne C	2097 2500 7.01
Gerard, Joe L	2085 1600 1.02
Miller, Charles Henry	2069 3000 11.00
Sellers, Mary A	1069 3006 19.00
Canon, Charles D	3094 1803 52.00
Davis, Clinton	1079 2927 19.00
Fortune, Michael E	1097 2514 5.00
Gaines, Rachel Myers	1077 2617 201.00
Gann, Tommy	1067 2628 46.00
Gordon, Cedric	2071 1102 83.00
Grittman, John Fred	4081 1100 35.01
Gutierrez, Raul Rubio	2072 0908 605.00
Harris, Kimberly	1059 3004 44.00
Hayes, Elsie M	1076 2309 86.00
Hubbard, Britt Adam	1059 2903 72.00
Jones, Robert	2072 0308 9.00
Kemp, Jay	2076 2302 181.00
Long, Alyssa	2062 0903 105.00
Larry, Chyran	2075 1603 114.00
McVay, John	3068 3301 9.00

Maliskas, Joseph Benjamin	2053 0805 414.00
Marks, Richard D	2062 0313 13.00
Marshall, Benjamin	1067 3510 92.00
Milne, James L	2072 0903 179.00
Moore, Jerry A II	2065 1610 8.00
Owens, Frank Charles IV	3081 1202 148.00
Price Jeromy O	2093 0801 27.00
Ross, Carla J	2081 0108 266.00
Smith, David Blake	1079 2924 262.00
Teaford, Aaron M	2072 0312 326.00
Thies, Ronald A	1064 1701 22.00
Toler, Terry L	1074 1906 972.00
Tuggle, Candace M	1069 2907 477.00
Williams, Tony F	1088 3304 1886.00

Bridges, Kheneche L	1089 3208 71.00
Espitia, Edward T JR	3081 1215 66.00
Jenkins, Debora A	3086 1306 1 9.00
Ruoss, Ruby K	1085 2206 1695.00
Osborne, Michael A JR	3082 0302 24.00
Poole, Ronnie D	2076 2304 621.00
Thigpen, Lutrina	1068 3407 1 33.00
Willoughby, Gary	1079 3103 117.00

b. Chancery Allowances – \$1,350.00 \$1,100.00

13. Chancery Court Clerk – Payment to the County for excess revenues-calendar year 2012
\$342,192.88

14. Approval of Records Preservation Contract for Circuit Clerk

The motion passed by a vote as follows:

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

Later in the meeting, Supervisor Jessie Medlin asked for clarification in Item 7 for the Request for Approval to Sign Purchase Requisitions. He asked if the people listed were being approved to sign requisitions for these projects.

Director of Administrative Services Pat McLeod said yes.

County Administrator Vanessa Lynchard confirmed that these people are signing for certain projects.

See Exhibit G

H. OLD BUSINESS

1. State Aid Engineer: Permission to modify and advertise State Aid Program SAP-17(13)M

State Aid Engineer Tracy Huffman said that based on the current estimates the SAP-17(13)M-Getwell/Centerhill/Red Banks Overlay Project is approximately \$185,000 over the initial budget allocated. Mr. Huffman suggested adding the Red Banks Overlay portion to the County’s overlay project for this year in lieu of being included under the State Aid project. Mr. Huffman said by moving the overlay project, it would alleviate any impact on other priorities previously approved by the Board under bridge projects.

Road Manager Andy Swims said there is enough funding for the Road Department to take over the Red Banks Overlay project.

Supervisor Mark Gardner asked why the project is so high over budget. Mr. Huffman indicated that it is because of the more extensive rebuild section located on Getwell Road in front of a school.

Supervisor Jessie Medlin asked if Mr. Swims has the money in their budget. Mr. Swims said he thinks the money is available or it can be delayed until next year.

Supervisor Medlin confirmed there will be no more State Aid money until next term. He said he wanted to make sure to not do overlay that may be taken in by I-269. Mr. Swims said the project extended to Fairview Road in lieu of Clark Road if done by the County. He said it may make sense to delay until after I-269 project is complete. He said he has a list of projects and will add Red Banks overlay to that list for the Board to consider later.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve modifying and advertising for bids State Aid Program SAP-17(13)M to include removing Red Banks Road overlay from the project.

The motion passed by a vote as follows:

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

See Exhibit H.1

2. 2013 General Obligation Bonds (3 documents)

Financial Advisor Demery Grubbs and Mr. Sam Keyes, attorney for Butler Snow Law Firm, appeared before the Board to discuss the resolutions and exhibits for the 2013 General Obligation Bonds. Mr. Grubbs explained that in February, 2013, the Board approved a resolution for the 2013 General Obligation Bonds in the amount of \$10.5 million. Mr. Grubbs said on March 4th the no protest resolution was adopted and Mr. Keyes has the documents that will allow us to move forward.

Mr. Keyes presented the Bond Resolution for the sale on May 22nd and the Resolution for approval of the preliminary official financial statement that needs to be approved today. Mr. Keyes said the closing date would be the first week or two in June.

Supervisor Jessie Medlin asked how close the amount is on the preliminary official financial statement. Mr. Grubbs said the principal amount is close and then the interest will have to be added. That is the standard procedure.

Board Attorney Tony Nowak referenced the Agenda as listing three documents. He explained the third document is an exhibit to the resolution approving the preliminary official statement.

Supervisor Medlin asked County Administrator Vanessa Lynchard if everything was falling into place on the projects. Ms. Lynchard said yes, everything is good so far.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve three documents as fully described in Exhibit H.2 as follows:

- a.) Resolution authorizing and directing the issuance of general obligation bonds, series 2013, of DeSoto County, Mississippi in the principal amount of ten million five hundred thousand dollars (\$10,500,000.) to raise money for the purpose of providing funds for purchasing and erecting, equipping, repairing, reconstructing, remodeling and enlarging county buildings, courthouses, office buildings and related facilities and the purchase of land within the County;
- b.) Resolution authorizing and ratifying the signing and distribution of a preliminary official statement for the sale of ten million five hundred thousand dollars (\$10,500,000.00) general obligation bonds, Series 2013, and approving and authorizing the form of, execution of and

distribution of an official statement pertaining to the bonds.

c.) The preliminary official statement to be made an exhibit to the resolution authorizing and ratifying the signing and distribution of a preliminary official statement.

The motion passed by a vote as follows:

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

See Exhibit H.2

3. Department of Human Resources: Request to Hire Board Attorney to Review Policies & Certificates with Cigna

Human Resources Director Janna Rogers said, because the County is engaging in a new relationship with Cigna, she is recommending the Board Attorney review the policies and certificates for various types of insurance.

Supervisor Jessie Medlin confirmed these documents have never been reviewed before. Ms. Rogers said that is correct.

Supervisor Lee Caldwell thanked Ms. Rogers for the work she has done on so many different insurance documents. Supervisor Caldwell thanked Supervisor Jessie Medlin, Ms. Rogers and the other members on the Insurance Committee for their time and for doing such a good job.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to review the following Policies & Certificates with Cigna:

- a. Group Accident Insurance Policy & Certificate**
- b. Group Life Policy & Certificate**
- c. Group Short Term Disability Insurance Policy & Certificate**
- d. Group Long Term Disability Insurance Policy & Certificate**

The motion passed by a vote as follows:

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

I. NEW BUSINESS

1. Bond Sale

This item was heard in Old Business under Item number H.2, 2013 General Obligation Bonds.

2. 10:00 a.m. Public Hearing Tax Increment Financing Plan – DeSoto Pointe Project

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to open the Public Hearing for Tax Increment Financing Plan – DeSoto Pointe Project.

Board Attorney Tony Nowak said this hearing is for the purpose of discussing a request to extend the current financing plan from 15 years to not to exceed 20 years.

Supervisor Mark Gardner asked if there was anyone in the audience who wished to speak about extending the current financing plan from 15 years to not to exceed 20 years.

No one in the audience came forward to speak.

Supervisor Lee Caldwell made the motion to close the public hearing and to rescind the prior 2011 TIF Plan until this Board can research the issue and obtain more information.

Supervisor Caldwell said this Board has three new members and part of the plan refers back to a 2004 proclamation that they have never seen.

Board Attorney Tony Nowak said he did not think the 2011 TIF Plan could be rescinded. He said the developers have already taken steps toward this project based on that plan and order of the Board approving that plan and it would be improper to rescind it. Mr. Nowak said the Board can authorize tabling this current application.

County Administrator Vanessa Lynchard suggested doing a new resolution since the one for 2011 could not be rescinded.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to close the Public Hearing and take the matter under advisement.

The motion passed by a vote as follows:

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

Supervisor Caldwell said two weeks ago the mayor of Southaven came before the Board requesting to extend the length of time on the financial plan for the TIF plan for the DeSoto Pointe Project. Supervisor Caldwell said the mayor came with nothing in hand and that made her hesitant. She said that Bob Rogers met with some of the Board members but we still did not have all of the numbers. Supervisor Caldwell said she and Ms. Lynchard met with Mr. Rogers on Friday for 4-5 hours but the other supervisors do not have the information. She said she does have concerns but it is a wonderful project and they want it in DeSoto County. She said there were incorrect millage rates and other serious inconsistencies in the 2011 TIF Plan. Supervisor Lee said they need time to do the due diligence to make sure all the numbers are correct and that we are all on the same page and then do an amendment to the 2011 TIF Plan to reflect everything correctly.

Supervisor Caldwell said this Board works well together and we demand transparency. She said they want to be able to tell their constituents they have done their due diligence. She said they do want to work with the City of Southaven.

Supervisor Mark Gardner said he would like to echo Supervisor Caldwell's concerns and he appreciated the time that she and Ms. Lynchard put into this project. He said it is a great project and the Board wants to get behind it.

Supervisor Jessie Medlin said he was absent in 2011 when this project was voted on. Supervisor Medlin said his concern that is that it is taking longer to complete the project. Supervisor Medlin said with the Southaven tax projection it seems like they could make up for the short fall. Supervisor Medlin said he wants to keep it at 15 years.

Supervisor Mark Gardner said there are malls very close to DeSoto County that have not even stayed open 20 years and that concerns him.

Supervisor Caldwell reiterated that she wants more time to get correct information.

Mr. Nowak said the Board can take more time to get the information.

Mr. Grubbs said today's Public Hearing is to extend the time not to exceed 20 years and that is the only purpose of this hearing.

Mr. Adair said this has been going on for quite some time. He asked about how long it would take the Board to get the information together. Mr. Adair said they have been working on this for two years. He said he knows this is political but that needs to be put aside.

Supervisor Gardner said the developers have been working on it for two years but this Board has been working on it for only two weeks. Supervisor Gardner said they do not want to slow them down and there is definitely no political issue involved. He said there are three new Board members and a lot of the numbers are wrong. There is a lot to be corrected and they want to protect the taxpayer's money.

Supervisor Medlin said we must make sure the numbers are correct. It is a good project and they will support it after the numbers are corrected.

Supervisor Harvey Lee said that is all he is asking for is that the numbers are right. He said he really wants the project to go through but we just need to get the facts straight.

The Board agreed to try and have all of the numbers and documents corrected in time for the next meeting on May 22nd.

See Exhibit I.2

3. Office of Procurement: Bids Under Advisement: - Firearms for DeSoto County Sheriff (Purchase and Trade)

Chief Macon Moore of the DeSoto County Sheriff's Department appeared with Procurement Clerk Karen McNeil to discuss firearms for the Sheriff's Department.

Chief Moore said they want to continue to use Glock weapons, particularly the Glock 9 millimeter, as opposed to a different manufacture's handgun. He said it would be a significant cost to the county to switch from Glock to another brand. Chief Moore then presented a memo listing the various additional costs the County would encounter by switching from Glock to another brand. See Exhibit I.3.

Board Attorney Tony Nowak said the statute is very limited to bidding brand specific items. He said the Board would have to find that only Glock could meet the performance needs of the Sheriff's Department. Due to the broad restrictions against bidding brand specific he would feel very uncomfortable telling the Board to do this.

County Administrator Vanessa Lynchard said the Board would need to make a finding justification in the minutes because the auditors would look for the finding.

Supervisor Mark Gardner asked if the officers would need to be retrained, purchase new armor and holsters.

Mr. Nowak said it would be better to bid non-brand specific. Then the savings the County would see, and other relevant factors, by staying with Glock could be considerations when determining the lowest and best bid.

Ms. Lynchard said it would also have to be stated in the bid specifications.

Supervisor Gardner asked why they are switching from .40 to 9 millimeters. Chief Moore said practice ammo is significantly cheaper and officers tend to perform better with the 9 millimeter.

Chief Moore said they have looked at several different options. He said 65% of all law enforcement agencies carry Glock. Chief Moore said during qualifications, they noticed some parts were wearing out. It would cost \$160 per pistol for a total of \$23,040 to refurbish the ones they currently have. Chief Moore said there has been an increase in demand for firearms. It is significantly greater than last year.

The Board discussed using refurbished handguns versus new handguns. They agreed that the new handgun is safer and more reliable. Supervisor Harvey Lee said at the end of the day, it is still a used handgun and he is against this.

Supervisor Jessie Medlin asked if they change handguns if the officers will need to be retrained. Chief Moore said yes, and they will be taught how to clean the gun. It would take 500-600 rounds to train an officer on a new handgun.

Chief Moore said they looked at several options including looking at the cities to see what they do. He asked Mr. Nowak if they can state their preference in the bid. Mr. Nowak said the bid specifications can note preference will be given to the Glock all else being equal. Also, the specifications can note the preference that any handguns bid will fit existing holsters, be compatible with currently possessed ammunition and not require additional training of deputies.

Supervisor Jessie Medlin asked if they have already purchased the ammunition for the guns. Chief Moore said they have several months to use existing ammo but it will take a while to get everything implemented. He said it takes about 6-8 months to get the new firearms so they could use up the ammo on hand. He said they will have officers qualifying in two months.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve hiring the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to work with the Office of Procurement and the Sheriff's Office to work on the current bid specifications and advertise for bids for handguns for the Sheriff's Office.

The motion passed by a vote as follows:

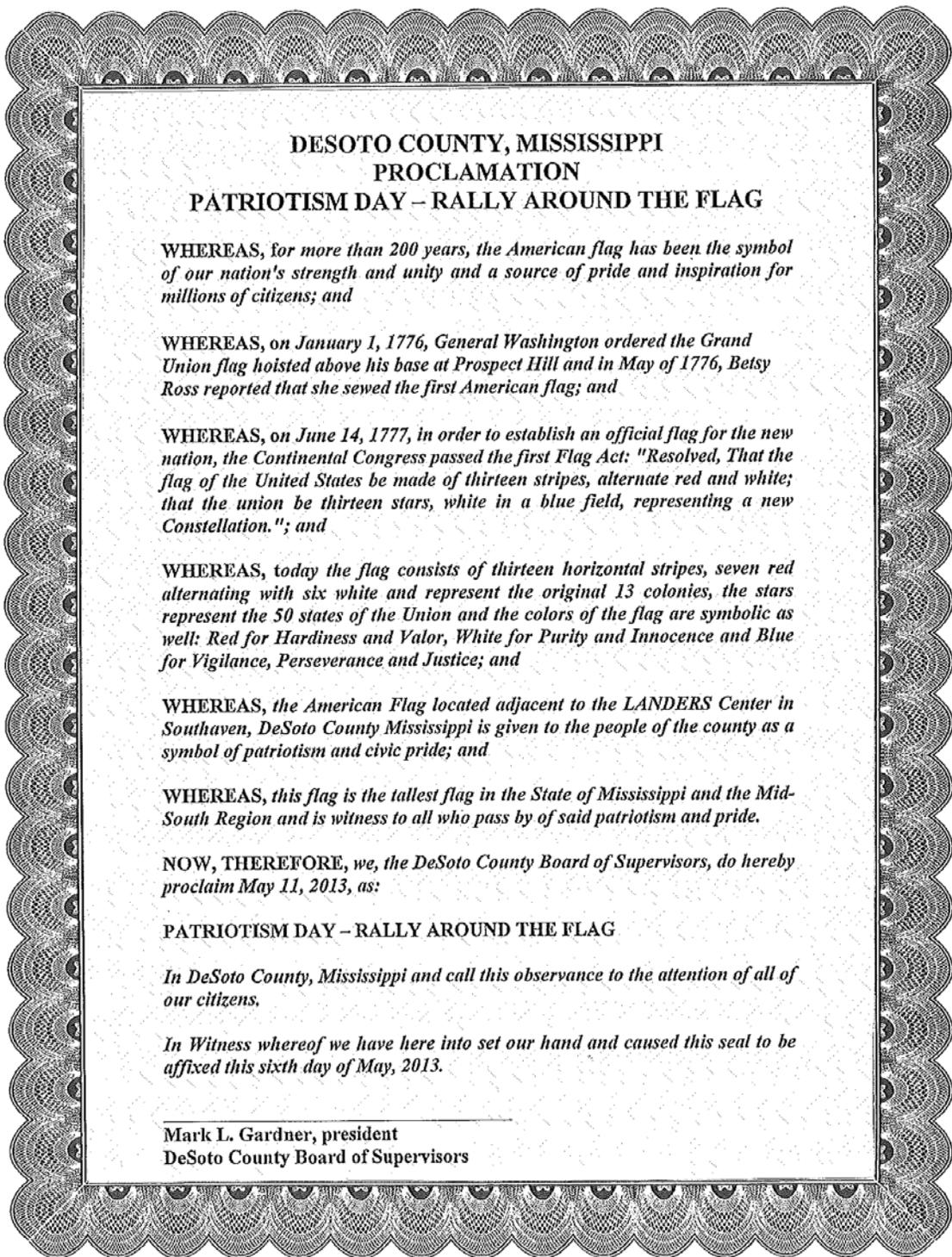
Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>ABSENT</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit I.3

4. Patriotism Day Proclamation

County Administrator Vanessa Lynchard presented a proclamation for Patriotism Day – Rally Around the Flag being held at the Landers Center on May 11th at 11:00 a.m.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the resolution for the proclamation of Patriotism Day as follows:



**DESOTO COUNTY, MISSISSIPPI
PROCLAMATION
PATRIOTISM DAY – RALLY AROUND THE FLAG**

WHEREAS, for more than 200 years, the American flag has been the symbol of our nation's strength and unity and a source of pride and inspiration for millions of citizens; and

WHEREAS, on January 1, 1776, General Washington ordered the Grand Union flag hoisted above his base at Prospect Hill and in May of 1776, Betsy Ross reported that she sewed the first American flag; and

WHEREAS, on June 14, 1777, in order to establish an official flag for the new nation, the Continental Congress passed the first Flag Act: "Resolved, That the flag of the United States be made of thirteen stripes, alternate red and white; that the union be thirteen stars, white in a blue field, representing a new Constellation."; and

WHEREAS, today the flag consists of thirteen horizontal stripes, seven red alternating with six white and represent the original 13 colonies, the stars represent the 50 states of the Union and the colors of the flag are symbolic as well: Red for Hardiness and Valor, White for Purity and Innocence and Blue for Vigilance, Perseverance and Justice; and

WHEREAS, the American Flag located adjacent to the LANDERS Center in Southaven, DeSoto County Mississippi is given to the people of the county as a symbol of patriotism and civic pride; and

WHEREAS, this flag is the tallest flag in the State of Mississippi and the Mid-South Region and is witness to all who pass by of said patriotism and pride.

NOW, THEREFORE, we, the DeSoto County Board of Supervisors, do hereby proclaim May 11, 2013, as:

PATRIOTISM DAY – RALLY AROUND THE FLAG

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 sixth day of May, 2013.

Mark L. Gardner, president
DeSoto County Board of Supervisors

The motion passed by a vote as follows:

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

See Exhibit I.4

5. Office of Finance and Accounting: Claims Docket

a. Inventory Dispositions: Preliminary – Sheriff’s Department

Inventory Clerk Char McCool said this disposition is for a motorcycle that was involved in an accident in March and is non-repairable.

Sheriff Bill Rasco said the insurance company would total the motorcycle.

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve the preliminary disposition as follows:

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY
40881	2011 HARLEY DAVIDSON MOTORCYCLE	1HD1FHM13BB637622	ACCIDENT 03.21.13 / DECLARE SURPLUS	11	17K	LOCATED AT TRAFFIC DIV

The motion passed by a vote as follows:

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

See Exhibit I.1.a

b. 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 if the payment on page 120 to Siemens is the final payment. Chief Financial Officer Tom Arnold said it is the final payment.

Supervisor Mark Gardner expressed concerns about making the final payment before the project is up to specifications and up to speed.

Facilities Management Director Tony Martin said he would prefer to wait until everything has been signed off on and recommended holding the check.

Supervisor Lee Caldwell asked about the following claims:

Page 1- Crimestoppers - She said she would like to see a quarterly report on how they spend the money made from Crimestoppers.

Page 9 – GIS – The claim for \$224 for Scott Trapolino for training in Texas. She said that is a small amount for a long trip. Mr. Arnold said this is an advance for meals only.

Page 123 – Volunteer Fire Departments – Mr. Arnold said this is for the total renovation of the Eudora Fire Department for this month. Supervisor Caldwell said she would like to see totals for the work done so far.

Page 17 – Nesbit Water – Supervisor Caldwell said she would like to revisit the well situation in comparison to Nesbit water. Supervisor Caldwell said she thought she found a way to decrease the cost of the well.

Supervisor Mark Gardner asked about the following claims:

Page 5 – Claim in the amount of \$9,000 to Mr. William Bryant. Mr. Arnold said Mr. Bryant’s salary is \$64,000 annually and this is a one-time claim to meet that salary.

Page 6 – The Tax Collector purchased plastic forks and spoons which cannot be bought with taxpayer money.

County Administrator Vanessa Lynchard said she would talk to the Tax Collector to let him know

and find a way to pay for the products.

Page 7 – North Mississippi Two-Way Communication – Mr. Arnold said a tower was struck by lightning and this is the deductible payment.

Page 9 – GIS – Carashoft Technology Corp. – Mr. Arnold said this is the one year maintenance renewal.

Page 21 - Next Step Innovations – Mr. Arnolds said this is firewall and support (Fortiguard) for the county.

Page 48 – PTS of America – Sheriff Bill Rasco said this is for long distance transportation for prisoners being extradited to the Jail.

Page 77 – Impact Missions – Mr. Arnold said this is a payment toward the annual amount of \$255,000. The balance is \$39,000 and there are 3 more payments left.

Page 83 – Interstate Bail Bonds – Mr. Arnold said this is for refunds for defendants that have been brought to the Sheriff’s Department.

Page 84 – Mr. Arnold said these claims are for the NRCS space that is being renovated. The project was \$43,000 and they will purchase their own appliances.

Page 101- Smith, Phillips, Law Firm – The law firm is hired to handle some of the forfeiture cases for the Sheriff’s Department.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Chief Financial Officer but to remove the expenditure on page 6 to Lonesource for any items that cannot be paid with taxpayer money and the payment to Siemens on page 120 in the amount of \$310,777.80.

The motion passed by a vote as follows:

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

6. Board Attorney

a. Addendum to Securus Contract for DeSoto County Jail

Board Attorney Tony Nowak said this agreement is for the phone system for inmates at the Jail. Mr. Nowak said a service is being added that captures phone numbers called by the inmates.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the addendum to the Securus contract for the Jail to add a service that will track all numbers called by inmates, authorize the Board President to sign and make the agreement part of minutes.

The motion passed by a vote as follows:

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

See Exhibit I.6.a

b. Annual Litigation Audit Report – Hiring Smith, Phillips, Mitchell, Scott and Nowak Law Firm, to prepare

Board Attorney Tony Nowak said this is the litigation audit report that is prepared every year. The request is to allow his firm to prepare the report of matters of litigations for the auditors.

Supervisor Jessie Medlin made the motion and Supervisor Harvey seconded the motion to authorize Smith, Phillips, Mitchell, Scott and Nowak Law Firm to prepare the required litigation audit report for the auditors.

The motion passed by a vote as follows:

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

7. Authorization for the Board Attorney to work on Fire Districts

Supervisor Lee Caldwell expressed concerns about the increase in the cost of homeowners insurance. Supervisor Caldwell said she is receiving a lot of calls from constituents and some of their rates have increased tremendously because of the fire districts. She said they met with the State Fire Marshall and got a checklist on steps to take to help reduce insurance costs. Supervisor Caldwell said she would like for the Board Attorney to work with the Fire Departments and the Fire Districts.

Supervisor Harvey Lee said the communities and everyone need to let the Fire Departments know how much we need them and appreciate them. They are passionate about putting out fires and saving lives and not just anyone can do that job. Supervisor Lee said the Fire Departments need more volunteers and that helps insurance rates.

Supervisor Caldwell agreed that the citizens will have to help. She said we could possibly get Volunteer MS to help us with the education process and the Board could have community meetings at the Fire Departments. She said the Board Attorney will need to work on interlocal agreements.

Supervisor Jessie Medlin said he is for lowering insurance rates and do whatever this Board needs to do. He wants to be careful in setting up Fire Districts because they could get annexed and then have to pay two fees. Supervisor Caldwell said that is another reason it is good to have the Supervisor involved. Supervisor Caldwell said that sources of water need to be looked at, too, including water tanks.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to work with the Fire Departments in whatever manner necessary to help reduce insurance costs in the county and offer better fire protection coverage.

The motion passed by a vote as follows:

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

8. Department of Road Management: Finding of Fact

a. 6183 Sandbourne East

Road Manager, Andy Swims, said there is a drainage issue that has caused sink holes in the front

yard of the property located at 6183 Sandbourne East causing damage to private property associated with drainage and erosion has occurred, affecting the health, safety and welfare of the public. Mr. Swims said it is curb and gutter. Mr. Swims said it will be necessary to repair the sink holes.

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to accept the finding of fact and that the conditions at 6183 Sandbourne East, adversely affect the health, safety and welfare of the citizens of DeSoto County due to erosion and drainage issues causing sink holes and in accordance with Mississippi code section 19-5-92, that repairing the sink holes from a drainage inlet is necessary to authorize the Road Manager to do the work at an estimated cost of \$4,156.

The motion passed by a vote as follows:

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

See Exhibit I.8.a

b. 13736 Whispering Pines

Road Manager Andy Swims said this property is in foreclosure and he has heard from the bank and perspective buyers of the property.

Supervisor Jessie Medlin said he hates to keep spending that kind of money on repairing property that has been improperly developed by a developer who is no longer in business. Supervisor Medlin expressed concern over the high cost of repairing this property at the taxpayers' expense.

Supervisor Lee Caldwell said she is also concerned about the taxpayers' money to repair these properties and suggested seeking a grant to help defray the costs.

Supervisor Medlin asked Mr. Swims who contacted him about the property issues. Mr. Swims said the Bank notified him and they have already done some work on the property. Mr. Swims said there is a ditch behind the houses which is eroding but it is not eroding from drainage. The Bank does have to make one repair before we can do the work.

Supervisor Lee Caldwell asked the age of the subdivision. Mr. Swims said it is about ten years old. Supervisor Caldwell said we need something in place to hold the builders accountable.

Supervisor Medlin asked if Mr. Swims thought we could get assistance from the Bank. Mr. Swims said he would ask the Bank and get back to the Board.

Supervisor Caldwell said she would like for the county to partner with the Bank in this effort. She said she would also like to look at subdivisions closer when taxpayers' money is involved.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to authorize Road Manager Andy Swims to talk to the Bank regarding sharing the costs for repairs at 13736 Whispering Pines where a drainage pipe is partially collapsed and an inlet is leaking and the inlet and culvert need to be replaced.

The motion passed by a vote as follows:

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

See Exhibit I.8.b

c. MOU with Olive Branch regarding Stateline Road

Mr. Swims said this MOU is with the City of Olive Branch to split costs for improving the Stateline Road Bridge over Johns Creek near Mineral Wells.

State Aid Engineer Tracy Huffman said this bridge is one that really needs attention. It has never been replaced and needs a lot of work. Mr. Huffman said the county and city want to improve the project in part by constructing a new box culvert as a replacement structure for an existing bridge. He said it will provide additional safe access and traffic flow along Stateline Road.

Mr. Huffman said the total cost of the project is \$600,000 to be split between the city and county and includes all costs for the design, engineering, construction and property acquisitions. The city will pay the county in three increments.

Supervisor Jessie Medlin said if the Board approves, he would like the county to be in charge of traffic control during the construction period. Mr. Swims said he would get with Olive Branch and work on the traffic pattern.

Supervisor Mark Gardner asked how the county portion will be funded. Mr. Huffman said it is funded through the State Aid Program and will start in 2014. The design has not been started yet.

Supervisor Lee Caldwell asked if STP funds were available. Mr. Huffman said it is possible but the county would have to make up for the short fall. The City of Olive Branch will maintain the bridge after completion.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve hiring the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to work with the Road Manager to prepare the proper agreements for the construction of the Stateline Road Bridge over Johns Creek near Mineral Wells, after the City of Olive Branch makes the decision to start the project.

See Exhibit I.8.c

9. Contracts Administration

a. EMS – Approve Stericycle Contract for Bio-Waste removal from Eudora Fire Station; Walls Ambulance Service, Lewisburg Ambulance Service

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the contract with Stericycle Biomedical Waste Services Agreement for Emergency Services for bio-waste removal from Eudora Fire Station, Walls Ambulance Service and Lewisburg Ambulance Service at a cost of \$231.06, authorize the Board President to sign and to make part of the minutes.

The motion passed by a vote as follows:

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

See Exhibit I.9.a

b. Chancery Clerk’s Office – Rayco lease and maintenance agreement for new equipment and lease agreement for maintenance on existing equipment

Chancery Clerk Sluggo Davis said he leased copiers off of state contract several years ago and he was not happy with the copiers or service. He said the copiers were not reliable.

Supervisor Mark Gardner asked if they use copiers as network printers. Mr. Davis said yes and no. He said they are in the process of transitioning some printers. Mr. Davis said the contract with Rayco expired April 1st and includes toner and paper.

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve renewing the contract with Rayco for the Chancery Clerk's office for the existing copiers, to lease two more copiers and maintenance at \$254 per month for 36 months, authorize the Board President to sign and to make part of minutes.

The motion passed by a vote as follows:

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

See Exhibit I.9.b

J. Planning Commission Agenda

DeSoto County Board of Supervisors

Planning Agenda

May 6, 2013

OTHER MATTERS

1. Report - Revised Flood Insurance Rate Map (FIRM) and appeal period

Ted Garrod presented the report. He stated that FEMA has produced new Flood Insurance Rate Maps (FIRM) for portions of DeSoto County, and that there is a ninety (90) day appeal period, beginning on May 2, 2013, during which property owners may appeal the flood hazard determinations.

Mr. Medlin said that 2-5 years ago, new maps were created that placed people into flood zones that had not been previously. He asked if these maps were completely new, changing those designations. Mr. Garrod stated that these maps were for focused study areas, such as the Camp Creek Canal, where some properties would actually be removed from flood zones. Mr. Medlin asked for clarification that these maps are for a smaller area than the previous maps. Mr. Garrod said yes.

Mr. Garrod asked permission to engage County legal counsel if needed for any appeals. Mr. Medlin made the motion to allow County legal counsel to assist with the appeal process. Mr. Lee seconded the motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

2. Report - Request for comments on potential impact to historic properties by proposed telecommunications facility (Approved Conditional Use #1452)

Ted Garrod presented the report. He stated that Cellular South Realty, Inc. was approved for a Conditional Use (#1452) to allow a telecommunications tower taller than 35 feet. As part of the design process, Cellular South is required to solicit comments regarding potential historical sites in the vicinity of the proposed tower. The current presentation is simply to inform the board of the solicitation.

Mr. Medlin asked if this was related to the tower being applied for on the May 13, 2013 Board of Adjustment agenda. Mr. Garrod said no, this tower was already approved and that this is a new process.

Vanessa Lynchard stated that Brian Hicks (Desoto County Museum) has reviewed the notice and stated that there is nothing of historic significance in the area. She added that the notification is a new requirement, but Mr. Hicks has been providing similar reports regarding towers for some time.

Mr. Gardner said that there were some issues related to historical significance near a tower last year, and that this process could help with those kinds of problems.

Mr. Medlin asked if this report had anything to do with the required fall zones around towers. Mr. Garrod said that county regulations deal with fall zones, and that this is a new requirement unrelated to fall zones.

Mr. Medlin said that Mr. Hicks's report should be included in the minutes. He made a motion to include the report in the minutes. Mr. Lee seconded the motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

3. Request for Building Permit fee Refunds – Mary Riley

Deputy Planning Director Tom Haysley advised the Board, Bill and Mary Riley requested refund of fees paid to DeSoto County for Building Permit 2013-107, in the amount of nine hundred sixty four dollars (\$964.00) for proposed work on Lot 10 of Bridgestone Subdivision, and Building Permit 2013-108, in the amount of eight hundred fourteen dollars (\$814.00) for proposed work on Lot 11 of Bridgestone Subdivision. The total refund request is one thousand seven hundred seventy eight dollars (\$1,778.00). Mr. Haysley advised the Board, the Rileys stated, they cannot build due to family matters.

Supervisor Medlin made the Motion to refund the Building Permit fees in the amount of \$1,778.00; Supervisor Lee seconded the Motion. It was noted, Supervisor Russell was out of the Country and not present at the hearing.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

K. EXECUTIVE SESSION

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

L. OTHER ITEMS

1. Pickering Engineering Relocation

Mr. Ross of Pickering Engineering said their office had burned and effective May 1, they have relocated from Southaven to 2446 Caffey Street, Hernando.

Supervisor Jessie Medlin made the motion to recess the Board meeting until May 22, 2013 at 9:00 a.m. The motion was seconded by Supervisor Harvey Lee.

The motion passed by a vote as follows:

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

THIS the 6th day of May, 2013, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Mark Gardner, President
DeSoto County Board of Supervisors