#### DESOTO COUNTY BOARD OF SUPERVISORS

#### **BOARD MEETING MINUTES**

# DISTRICT ONE JESSIE MEDLIN, PRESIDING

# **November 21, 2016**

#### A. CALL TO ORDER

The November 21, 2016 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie Medlin, Board President.

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

Supervisor Jessie Medlin	District 1
Supervisor Mark Gardner	District 2
Supervisor Bill Russell	District 3
Supervisor Lee Caldwell	District 4
Supervisor Michael Lee	District 5

Sheriff Bill Rasco Sheriff's Department
Misty Heffner Chancery Clerk
Vanessa Lynchard County Administrator

Tony Nowak Board Attorney

#### **B. INVOCATION**

Sheriff Bill Rasco gave the invocation.

# C. PLEDGE OF ALLEGIANCE

#### D. CITIZENS REMARKS & PRESENTATIONS

# 1. Ed Hughes - Library Employee Promotion Announcement

Mr. Hughes wanted to announce the promotion of Jesse Pool, current Horn Lake Public Library and Walls Public Library Manager, to add Hernando Public Manager to his duties. Mr. Hughes stated Mr. Pool is a great manager of Horn Lake and Walls, and he is looking forward to working with him even more as the Hernando manager. The Board expressed their appreciation to Mr. Hughes and Mr. Pool for the good work First Regional Library does for the communities they serve.

- **2.** Supervisor Medlin acknowledged Madeline Wantland from Georgia, granddaughter of former Veteran Services Officer Steve Powell. Miss Wantland is visiting her grandfather and came to monitor the Board of Supervisors' meeting for her government class project.
- **3.** Supervisor Lee Caldwell acknowledged Ted Garrod, former Planning Director for DeSoto County. Mr. Garrod stated this was an intentional trip to celebrate his retirement and to be able to see the Supervisors and say hello to former co-workers.

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

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

# 1. Board Attorney Tony Nowak requested to add the following:

Board Order to Dissolve the Recreational District

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to authorize the Board President to sign the Board Order to dissolve the Recreational District and make the Order a part of the Board Minutes.

The motion passed by a vote as follows:

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

#### See Exhibit E.1.

# 2. County Administrator Vanessa Lynchard requested to add the following:

- a. Travel Policy Update (Old, H.6.)
- b. Animal Shelter Riverkings Outreach (New, I.12.)

#### 3. Supervisor Lee Caldwell requested to add the following:

a. Agri-Education Meeting Update (Old, H.7.)

# 4. Chancery Clerk Misty Heffner requested to add the following:

a. Permission for the firm of Smith, Phillips, Mitchell, Scott and Nowak to draw up a contract for tax searches with George McIngvale and Jay Johnson. She stated her office has to do a tax sale search to notify landowners when they are about to lose their property. Mrs. Heffner stated Mr. McIngvale and Mr. Johnson have been doing the work for some time, but there is no written contract.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to authorize the firm of Smith, Phillips, Mitchell, Scott and Nowak to draw up a contract for tax searches with George McIngvale and Jay Johnson.

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

The motion passed by a vote as follows:

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

# F. CONSENT AGENDA

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

#### 1. Publication of Board Proceedings

# 2. Office of Finance & Accounting

a. Budget Amendments – Aviation, Juvenile Drug Court, Animal Shelter, Recreation District,
 Finance & Accounting, Facilities – Chancery Clerk Land Records, Capital

 Funds – Aviation Project

	Fund/Department #	001 / 201				
(1)	Aviation					
ACCT#	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
001-201-681	Repair & Replacement Parts	\$ -	\$ 28,300.00		\$ 4,395.00	\$ 23,905.00
001-201-921	Other Cap Outlay Under \$5000	\$ -	\$ 2,000.00	\$ 4,395.00		\$ 6,395.00
	TOTALS		\$ 30,300.00	\$ 4,395.00	\$ 4,395.00	\$ 30,300.00

Reason for Request: To adjust budget for aviation transponder that is needed Show detailed

Requested by: Bill Rasco / Donna Ford

001 / 243 Fund/Department # (2) Juvenile Drug Court ADOPTED BUDGET YEAR TO DATE REVISED ACCT# LINE ITEM INCREASE DECREASE BUDGET REVENUE 001-000-269 Reimb - Youth Court Admin 001-000-299 Reimb - AOC Juvenile Drug Court 4.915.54 S \$ 13.043.00 \$ 70.000.00 56.957.00 5,015.75 \$ 160,000.00 \$ 10,000.00 \$ 150,000.00 EXPENSE
001-243-402 Deputies/Assistant Managers
001-243-552 Medical Fees
001-243-559 Other Prof. Fees & Services 3,035.00 \$ 40,225.00 20,000.00 3,000.00 4,997.00 \$ 43,260.00 3,738.00 \$ 30,000.00 \$ 10,000.00 \$ \$ 3,000.00 7.00 \$ 44,689.00 \$ 13,008.00 \$ 001-243-610 Professional Supplies OVERALL DECREASE IN REVENUE AND EXPENSE IS \$23,043

To amend budget to better handle needs in youth drug court and to be in line with funding requests and to account for new camera system that has to be installed in new office location. Reason for Request: (Show detailed justification)

Requested by: Erica Banks

	Fullus Department #	_	0017443							
(3)	Animal Shelter Operations	<u> </u>								
ACCT#	LINE ITEM	YEAR	TO DATE		ADOPTED BUDGET	IN	ICREASE	DECREASE		REVISED BUDGET
	REVENUE									
001-000-370	Animal Shelter Donations	\$	1,419.00	\$	1,294.00	\$	125.00		\$	1,419.00
	EXPENSE									
001-445-698	Canine Supplies (Food)	\$	1,773.95	\$	20,264.00	\$	5.00		\$	20,269.00
001-445-921	Other Cap. Outlay Under \$5000	\$	-	Ş	6,180.00	S	120.00		\$	6,300.00
									_	
			OVERAL	шп	NCREASE IN	IRE	VENUE AN	ID EXPENSE IS	5 \$	125

001 / 445

Reason for Request:

To amend animal shelter operations budget to account for donations received.

Fund/Department # 101 / 660 (4)Recreation District - Desoto Council Allocation LINE ITEM ACCT# BUDGET INCREASE **EXPENSES** BUDGET 760 Desoto Council Allocation 1999 Ending Cash 5,416.67 \$ 5,417.00 330,800.00

Per Board minutes dated 9/19/2016 Larry Jarrett's salary only through the end of October was to be paid. The amount that was owed is reflected above and in the minutes.

Requested by: Andrea Freeze

		Fund/Department #	001 / 121					
_	(5)	Finance and Accounting						
ſ	ACCT#	LINE ITEM	 AR TO DATE EXPENSES	ADOPTED BUDGET	-	NCREASE	DECREASE	REVISED BUDGET
	001-121-521	Legal Advertising	\$ 1,837.20	\$ 1,500.00	\$	1,000.00		\$ 2,500.00
	001-121-551	Auditing Fees	\$ 12,795.65	\$ 55,000.00			\$ 1,000.00	\$ 54,000.00
				·			·	
		TOTALS		\$ 56,500.00	\$	1,000.00	\$ 1,000.00	\$ 56,500.00

Reason for Request: (Show detailed Justification) Due to an increase in the number of times certain budget ads had to be advertised this line item needs to be adjusted to account for the original items that are paid out of this line throughout the year.

Requested by: Andrea Freeze

		Fund/Department #		315 / 101						
	(6)	2014 Facilities Project - Chancery Clerk Land Rec's								
ſ			YEA	AR TO DATE		ADOPTED				REVISED
L	ACCT#	LINE ITEM		EXPENSES		BUDGET	INCREASE	DECREASE		BUDGET
I	315-101-540	Facilities Mgt Service Calls	\$	6,600.00	\$	10,000.00	\$ 40,000.00		\$	50,000.00
	315-101-641	Building Supplies	\$	3,590.38	\$	231,629.00		\$ 40,000.00	\$	191,629.00
Γ		TOTALS			S	241,629.00	\$ 40,000.00	\$ 40,000.00	S	241,629.00

Reason for Request: Increase line Item to correctly code expenses.

(Show detailed justification)

Requested by: Bob Jarman

_	Fund/Department #	380 / 201				
(7)	Capital Projects Not Bond Funds - Aviation Project					
ACCT#	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
380-201-540	Facilities Mgt Service Calls	\$ -	\$ 10,000.00	\$ 10,000.00		\$ 20,000.00
380-201-641	Building Supplies	\$ 194.46	\$ 10,000.00	\$ 15,000.00		\$ 25,000.00
380-201-901	Capital Improvements	\$ -	\$ 165,178.00		\$ 25,000.00	\$ 140,178.00
	TOTALS		\$ 185,178.00	\$ 25,000.00	\$ 25,000.00	\$ 185,178.00

(Show details justification)

son for Request: Increase line Items to correctly code expenses.

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b. Final Inventory Dispositions – Animal Services, Circuit Court

- 3. Business Investment Incentives UIT Integrated Logistics Final Resolution and Approval Letter
- 4. Office of Procurement October 2016 Procurement Card Purchase for IT Software
- 5. EMS Monthly Report: October 2016

Number of ambulance runs billed: 110

Amount billed: \$66,458.00 Amount collected: \$36,347.05 Un-collectable amount: \$4,427.06

			- 11
	Eudora	Lewisburg	Walls
Dispatched Calls:	94	105	90
Refusals:	22	32	28
Standby Only:	7	2	<b>\$</b>
Billed:	55	63	46
Other:	10	8	11
		i	- 11

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

# 10. Road Department - Safety Report

Workman Compensation Claims
Please continue to pray for Danny Pool, an employee of the Road Department that was seriously hurt on the job.
Accidents
There have been two (2) incidents of broken glass from debris being thrown from under mowers. 1. On Red Banks Rd. 2. On HWY 61.

Kenny Woods Desart County Road Superintendent

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve the actions and matters presented in the Consent Agenda.

Supervisor Medlin asked what the budget amendment for Facilities - Chancery Records was for. Mr. Jarman stated the money was budgeted, but had to be moved into an account that it could be spent out of. He stated it is time to pay for the contracted work at Chancery Land Records. He stated the money for Aviation was to be able to complete the interior of the building.

Mrs. Lynchard explained to Miss Wantland how the Consent Agenda worked.

Supervisor Gardner asked why the blank was not filled in on the Business Investment form. Mrs. McLeod explained it gets filled in after the motion for approval is made and voted on.

The motion passed by a vote as follows:

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

# See Exhibit F.

# G. OLD BUSINESS

#### 1. Planning Commission Online Permit Update

Planning Director Bennie Hopkins informed the Board that his department has applications to download for mechanical, electrical and plumbing permits, as well as a system that will be able to accept credit card payments. He stated that, with the current system, they will not be able to issue permits online. Mr. Hopkins stated his office has found a way that someone can send in an application, the staff will review, verify and set up a fee by email or fax; and the constituent will not have to come to the office. He also stressed the importance of reviewing information and making sure everything is

in line before a permit is issued.

Mr. Hopkins also stated he is working on a list of submittal requirements for the new plans inspector. He stated it will be a tool to help expedite permits and not require a personal visit to the office. He stated builders can pick up extra forms, download forms, and email or fax them to the Planning Department. He re-stated they are working within the system they have at this time.

Supervisor Russell stated this all started with a plumber pulling a permit for a hot water heater, and asked if the Planning Department inspects those. Mr. Hopkins stated they do try to follow up on those permits and do inspections, especially the gas hot water heaters, to help prevent explosions. He said they are currently trying to develop a system to do those inspections. Supervisor Gardner suggested a tickler file, since there was no electronic process. Mr. Hopkins said they are looking at that to get more inspections done.

No Board action was required.

# 2. Meadowbrook Road Bridge Replacement – Approval of Bid Documents and Permission to Advertise for Bids.

Mr. Tracy Huffman, State Aid Engineer, stated this is Project LSBP-17(7) and is estimated at \$600,000 to be mostly paid through State Aid, with a local portion by the City of Horn Lake. He requested an approval of the Bid documents and authorization of an MOU with the City of Horn Lake.

Supervisor Medlin asked if the County was paying 10% of the match. Supervisor Caldwell stated the County paid the whole 20% match on the Valleybrook bridge project, and Horn Lake will be paying the whole 20% on the Meadowbrook bridge project as agreed.

Mr. Huffman stated this bridge will be a double box culvert, and will be a little bigger than the Valleybrook project.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve the bid documents, authorize Mr. Huffman to proceed with the advertisement of bids, and authorize the Board attorney to draft an MOU with the City of Horn Lake for completion of the Meadowbrook Road Bridge Replacement Project LSBP-17(7).

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	<b>YES</b>
Supervisor Michael Lee, Fifth District	<b>YES</b>

Supervisor Medlin asked Mr. Huffman if there was going to be any money not allocated for paving in this term. Mr. Huffman stated all the monies were allocated as of now. He further stated, last term additional funds were allocated, and he would be on the lookout for additional funds this year.

#### See Exhibit G.2.

# 3. Region IV Update

Mrs. Lynchard reminded the Board that Region IV had originally asked for \$100,000.00 in additional funding to help them purchase a property on Church Road. The Board asked them to approach the cities for help as well. Mr. Spearman said Southaven has said they will not be able to help them financially, and he thinks that help will not come from the other cities either. This caused him to decide they will not move forward with the property purchase. Mrs. Lynchard stated the Board needs to decide if they want to remove the offer of \$25,000.00 or give it to them.

Supervisor Medlin stated he felt they needed to remove the offer, since the property purchase is not going to happen.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to move the \$25,000.00 back to ending cash.

The motion passed by a vote as follows:

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

#### 4. Walls Fire Department Request to Waive Erosion Control Bond

Supervisor Medlin stated he thought the Board had already waived the fees. Mrs. Lynchard stated the erosion control bond was not discussed and this was just to formalize that the erosion control bond was included in what Walls was requesting to be waived.

Mr. Laughter stated he has inspected the building site and it looks good. He stated he will re-visit the site and be sure the silt fence is in good order.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to waive the erosion control bond for Walls Fire Department for their satellite station.

The motion passed by a vote as follows:

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

# 5. Benefits Handbook Printing Report

Human Resources Director Vickie Richmann stated they have been busy getting quotes for the Employee Reference Handbook and Mrs. Lynchard printed a spreadsheet to show the quotes for 800 copies, printed 2-sided. She said this will give each employee a binder and they will have a small stockpile for new employees.

Mrs. Richmann stated they got quotes for color and black & white, and recommend Office Depot for black & white copies, or FedEx for color copies. She also stated DeSoto Industries will assemble the books with pages and tabs, and they are very excited to be able to do the job. Mrs. Richman said they recommend Hunter Paper for the dividers and Panola Paper for the binders.

Supervisor Gardner stated at \$8.00 per book, he feels it is money well spent. Mrs. Richmann stated a copy will also be available on the intranet and a copy will be kept in each department for reference.

Supervisor Russell asked about employee training. Mrs. Richmann stated they plan to visit each department, see each employee, answer questions, and have each employee sign that they received their handbook. She stated they will go to the Sheriff's Department at shift changes, and have lunch and learn sessions.

Supervisor Mark Gardner made the motion and Supervisor Michael Lee seconded the motion to move \$6,390.40 from ending cash to pay for the printing and assembling of the Employee Benefits Reference Handbooks.

The motion passed by a vote as follows:

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

#### See Exhibit G.5.

#### 6. Travel Policy Update

Mrs. Freeze presented an addendum to the travel policy to address the issue of employees accumulating travel expenses, as was noted last meeting in the Court Reporters budget. This policy (17.105) states "travel reimbursement requests must be submitted and settled not less than quarterly to the Finance and Accounting Department to ensure timely reimbursements as well as being paid in the correct fiscal year".

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the travel policy addendum and make it a part of the Board minutes.

The motion passed by a vote as follows:

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

#### See Exhibit G.6.

#### 7. Agri Education Meeting

Supervisor Caldwell stated they had their first meeting with the Agri Education Exploratory Committee and they were very excited to go out into the community and gather questions for a survey that will be filled out by the public concerning wants and needs.

Supervisor Medlin asked if they have another meeting set. Supervisor Caldwell stated the next meeting will be on December 8<sup>th</sup>, and she will be sending information to the committee members that were not able to attend the first meeting.

#### H. NEW BUSINESS

# 1. Business Investment Incentives

```
Pacific Logistics Corporation: 9-Yr. Real & Personal Property (New): $2,641,993.50 ($1,863,509.50 - Real + $778,484.00 - Personal)
```

DeSoto Council Economic Development Council President Jim Flanagan stated the Business Investment Incentive Committee met and reviewed the application by Pacific Logistics Corporation and recommends them to the Board.

Mr. Noel Haynes, District Manager for Pacific Logistics, stated PLC has been in business for 17 years and their headquarters is in California. He stated the over-the-road division headquarters is in Olive Branch. Mr. Haynes stated they have 4 primary locations; Los Angeles, Olive Branch, Baltimore, and Jamesburg, NJ. The 90,000 sq ft building they occupy in Olive Branch is the old Alcoa building, with rail access outside the building. He stated they use 14 local trucks that cover a 225 mile radius, 2 small trucks for local pickups, and they operate well above TSA requirements. Mr. Haynes stated they are looking to be double in size in the next year.

Supervisor Medlin asked if they own the building. Mr. Haynes stated another company owned by the same owner actually owns the building, and this division leases it.

Supervisor Caldwell stated she appreciated PLC hiring DeSoto County residents and would like them to hire more. She encouraged community involvement by picking a local non-profit to support. Supervisor Caldwell also encouraged working with the WIN Job Center as they are working to provide employees for DeSoto County businesses.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the 9-year Real and 9-year Personal Property Exemption for Pacific Logistics Corporation in the amount of \$2,641,993.50.

The motion passed by a vote as follows:

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

#### See Exhibit H.1.

#### 2. Office of Procurement

#### a. Purchase Over \$25,000 – Aerial Photography

Director of Administrative Services and Procurement Pat McLeod stated GIS got 2 quotes: Atlantic for \$49,965.89 and Fugro Geospatial, Inc. at \$80,622.39. She stated the Atlantic group is lower because they are already flying in the area.

IT Director John Mitchell stated the cost sharing was broken down based on populations; and that the entities willing to participate make costs less. He stated the County's portion will be just under \$9,000.00.

Supervisor Medlin asked if they can fly this winter. Mr. Mitchell affirmed. Mr. Mitchell informed the Board that the specs Scott Trapolino put together were impressive. He also informed the Board that Mr. Trapolino went out and spoke to all the groups participating and organized the collaboration.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to accept the quote from Atlantic Group for \$49,965.89 as the lowest and best qualified quote and to approve the firm of Smith, Phillips, Mitchell, Scott and Nowak to draft an interlocal agreement and complete any necessary work with the affiliated entities.

The motion passed by a vote as follows:

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

# See Exhibit H.2.a.

#### b. Request to Approve Bid Recommendation to Purchase

#### 1) Rubber Tire Backhoe – Bid File #17-300-013

Mrs. McLeod stated 4 vendors bid, but 2 did not meet specs. Procurement recommends purchasing 1 backhoe from Stribling Equipment with a 4-year extended warranty. She also stated the Road Department would like to utilize the 4-year buy back option. Mr. Keith Pearson pointed out the buy back option does not cost anything.

Supervisor Medlin asked what specs the low bids did not meet. Mr. Pearson stated they asked for a particular boom and the low bids did not have it. Supervisor Medlin asked if the specs met minimum weight. Mr. Pearson stated the base model appeared low, but adding the implements makes the weight go up.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to purchase the Rubber Tire Backhoe from Stribling Equipment as the best qualified bid, noting that the two lower bids failed to meet necessary specifications.

The motion passed by a vote as follows:

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

#### See Exhibit H.2.b.1.

#### 2) Knuckleboom Truck – Bid File #17-300-014

Mrs. McLeod stated Procurement and the Road Department recommend purchasing four trucks from Summit Truck Group with a 5-year warranty at a cost of \$122,950 per unit for a total of \$491,800.00.

Supervisor Medlin asked about the trouble in the past with dust going back into the engines. Mr. Pearson stated that was the old International model, and they have changed from an under-the-bumper intake to a grill intake. Mr. Pearson also stated the 2 lowest bidders have basically the same trucks with different names.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to purchase the 4 trucks from Summit Truck Group at a total price of \$491,800.00 finding them to be the lowest and best qualified bidder.

The motion passed by a vote as follows:

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

#### See Exhibit H.2.b.2.

# 3) Tandem Axle Dump Truck – Bid File #17-300-015

Mrs. McLeod stated they had 6 vendors respond to the dump truck bid. Procurement and the Road Department recommend purchasing two 2018 Western Star 4700 trucks with a five-year extended warranty for a total of \$272,444.00 from Crows Truck Service finding them to be the lowest and best qualified bid.

Mr. Pearson stated the 2 lower bids did not meet specs regarding important safety features and other specs. He stated Crows brought some trucks to demo, and he had several business people recommend them. Sheriff Rasco stated their SWAT team truck came from Crows and the owner lives in DeSoto County.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to purchase two 2018 Western Star 4700 trucks with five-year extended warranties for a total of \$272,444.00 from Crows Truck Service finding them to be the lowest and best qualified bid, and noting the two lower bids did not meet necessary specifications.

The motion passed by a vote as follows:

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

# See Exhibit H.2.b.3.

#### c. Sheriff's Department – Sole Source Purchase – Tasers & Associates

Mrs. McLeod stated this is for the purchase of 5 tasers and accessories. She reminded the Board that the last time tasers were purchased, they discovered purchases have to be made from the manufacturer. She stated the Sheriff's Department is trained on this particular type of equipment and it is compatible with the equipment currently used.

Mr. Nowak stated there is one other brand, but it is not as tried as TASER. He also stated the entire department would have to be re-trained if the Sheriff's Department switched from TASER and the other brand is not compatible with the current equipment being used by the County.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve the purchase of 5 tasers and accessories, finding this is a purchase that must be made from the manufacturer; and, based on training and compatibility with current equipment and the sole source affidavit presented it is a valid sole source purchase.

The motion passed by a vote as follows:

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

#### See Exhibit H.2.c.

#### 3. Office of Finance and Accounting

#### a. Inventory Dispositions - Preliminary/FINAL - Animal Services & Board of Supervisors

Inventory Clerk Angie Tapley presented the preliminary/final inventory dispositions as follows:

Animal Services had a printer that was leaking ink and was put in the e-waste trailer.

The Board of Supervisors had a palm pilot that has been lost, but would not have any value based on its age and technology.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the preliminary/final inventory dispositions as presented.

The motion passed by a vote as follows:

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

# See Exhibit H.3.a.

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# LOST OR STOLEN PROPERTY AFFIDAVIT

DeSoto COUNTY 365 Losher Street ADDRESS Hernando, MS

Date:

Department Location:

Detailed Explanation of Loss: (in case of theft, rubbery or mysterious disappearance, show the name of the Sheriff's Office notified and the date the loss was discovered. If such loss was not reported to a Sheriff's Office at time of the discovery, give a complete explanation of such failure.)

This Palm Pilot was Bill Russell's and was turned in to the IT DEPT when it was exchanged for a smart phone. I have spoken to several parties in IT and it is still unfound. We wish to get it off of inventory because it is no longer compatible and is not worth much if anything.

WE HEREBY STATE UNDER OATH THAT THE ABOVE FACTS ARE TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE.

Board President

Gue Sepley
Inventory Goatros Clerk

THIS DATE PERSONALLY APPEARED BEFORE ME, the undersigned authority, in/and <u>DeSoto</u>
County, in the State of Mississippi, the above named individuals, being first duly sworn, state on their oaths that
the above facts are true and correct to the best of knowledge.

the above facts are true and correct to the best of knowledge.

GIVEN UNDER MY HAND AND OFFICARL SEAL, this the

NGELA M. IRVING

# b. Inventory Dispositions – Preliminary – Sheriff's Department

Mrs. Tapley stated the motorcycle will be used as a trade-in, the Crown Vic will be sold at auction, and the cameras are broken and irreparable.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the preliminary inventory dispositions for the Sheriff's Department as presented.

day of

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District

Supervisor Mark Gardner, Second District

Supervisor Bill Russell, Third District

Supervisor Lee Caldwell, Fourth District

Supervisor Michael Lee, Fifth District

YES

YES

See Exhibit H.3.b.

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#### c. Interfund Transfer

Chief Financial Officer Andrea Freeze presented an interfund transfer request to clean up an old fund that is no longer needed and to move the funds from an old E-911 equipment project fund to the E-911 debt service fund. The amount reflects interest collected from prior years.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize the interfund transfer as presented by Mrs. Freeze.

The motion passed by a vote as follows:

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

#### See Exhibit H.3.c.

# d. Equitable Sharing Agreement & Certification - Need Board President Signature

Mrs. Freeze stated this is a yearly certification that approves forfeited money to go into the bank account. She stated the application needs the Board President's signature.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to authorize the Board President to sign the Equitable Sharing Agreement and Certification as requested by Mrs. Freeze.

The motion passed by a vote as follows:

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

#### See Exhibit H.3.d.

#### e. Credit Card Policy

Mrs. Freeze presented a final revision of the original credit card policy. She stated Mr. Nowak has reviewed the policy and made changes. Mrs. Freeze said this is a general policy for our employees and the credit card company, with the exception of Justice Court. She stated protection of consumer's credit card information is the goal of this policy.

Mrs. Freeze stated the policy is very generic. She stated the changes put more emphasis on contacting the IT Department if an employee feels their terminal has been compromised. She also stated it places the responsibility on the department and office if they are not following safety procedures. Mrs. Freeze stated this will protect the County as a whole, and protect the credit card user.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to adopt the credit card policy as presented by Mrs. Freeze.

The motion passed by a vote as follows:

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

#### See Exhibit H.3.e.

# 1) On-Line Service Agreement for Planning Commission

Mrs. Freeze stated this agreement is with Graphite Payments to offer credit card payment online. Mr. Nowak has reviewed it and added an addendum. Mrs. Freeze stated the Board President's signature is required.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the on-line service agreement for the Planning Commission, with the addendum, and authorize the Board President to sign the agreement.

The motion passed by a vote as follows:

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

#### See Exhibit H.3.e.1.

# 2) Justice Court Payment by Phone Payments

Justice Court Clerk Pat Sanford stated he talked to Graphite and determined the best course of action for taking payments at Justice Court was to get a copy of the payer's driver's license via fax or email and their telephone number to attach to the receipt at Justice Court. He stated if they ever have a fraudulent claim, they will have a copy of the driver's license and can issue a warrant. Mr. Sanford stated they have been using this system, and it is working.

# f. Claims Docket

Chief Financial Officer Andrea Freeze presented a page by page declaration of the Claims Docket. Accounting Clerk Sissie Ferguson brought invoice documentation to address any questions.

# Supervisor Jessie Medlin asked about the following claims:

Page 49 – Tradebe - \$39,152.54 – Mr. Laughter stated that was for Household Hazardous Waste Day and will be reimbursed by the grant.

Page 20 – Justice Court Judges – Constables – Mrs. Freeze stated constable fees are collected through Justice Court and settled to the County. Mrs. Lynchard stated it goes through this account because the constables are by district, but their fees for the judges can be from a different area.

Page 2 – Lawrence Printing – The invoice showed business cards for Supervisors Gardner, Caldwell & Lee.

#### Supervisor Mark Gardner asked about the following claims:

Page 9 – Pointer Management – Mrs. Lynchard stated that is Southaven Health Dept. utilities.

Page 10 - Ernest Vigliette - C&P Enterprises - \$800 - Mr. Jarman stated that was a steam cleaning of the restrooms in the courthouse. He said they were much cleaner, but have not been maintained well by the current cleaning service.

Page 11 – Marks Plumbing Parts – Mr. Jarman stated that was for parts at the jail and the juvenile center. He stated parts are cheaper when ordered directly.

Page 11 – Sentry Security to replace lost keys – Mr. Jarman stated the outside control box key for the gate at the jail had to be replaced, and there were several extra keys made for rooms at both the jail and juvenile center. He stated the control box key did not make a security issue. He stated these are custom keys that cannot be reproduced.

Page 15 – Jenkins Graphics - \$588 for business cards – The invoice showed 6 sets of 500 for youth court employees.

Page 30 – Select Administration – Sheriff Rasco stated this should be the last bill from them.

Page 51 – Williams Equipment – Day Rental – Mr. Swims stated that was for a finding of fact repair job that required a small piece of equipment.

Page 52 – North MS Driveways – asphalt – Mr. Swims stated that was part of their term bid for typical repairs around the County

Page 57 – Engineering fees – Supervisor Caldwell stated she asked Mr. Huffman about that and he said it was for design work.

Page 59 - ICA Engineering – Craft & Bethel – Mr. Swims stated that is for part of the fees that were put in place for that project. It is not final.

# Supervisor Bill Russell did not have any questions.

#### **Supervisor Lee Caldwell asked about the following claims:**

Page 58 – Ron Smith – Mr. Swims stated he went to meet with the Corps of Engineers in Greenwood, MS for the Wedgewood Project when Mr. Swims and Mr. Young were unavailable.

Page 58 – Dues for ASFPM – The invoice showed dues for Scott Young for flood plain management.

#### Supervisor Michael Lee asked about the following claims:

Page 6 – Snappy Windshield – He asked how the County determines which vehicles to repair. Mrs. Freeze stated they work closely with SouthGroup Insurance, Sarah Edmiston, to monitor windshields. They shop the prices to get the lowest bids. Mrs. Freeze stated she questioned this one, and it was a windshield for a Mercedes vehicle. Mr. Swims stated the Road Department makes sure all the mowers have chains, but it is inevitable that rocks will be thrown. He said if people make a claim and the mowers were in the area, they end up paying most of them.

Page 40 – Al Williams – Misc refund – Mrs. Freeze stated she will make that more specific.

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 approve the claims docket and 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	<b>YES</b>
Supervisor Michael Lee, Fifth District	<u>YES</u>

#### Addendum:

Sheriff Rasco updated the Board regarding questions about towing charges on the claims docket at last meeting. He stated Country Ford will start towing any cars under warranty at no charge.

#### 4. Grant Administration

# a. Request Board approval to apply for FY18 DUI Grant at a maximum amount of \$170,000.00 and for the Board President to sign all application documents

Grant Administrator Tanner Kuntz stated this is for the FY18 grant and the award letter will probably come in July of 2017. He said the grant pays overtime, and the County's match is FICA and fringe benefits.

Sheriff Rasco stated the State wants the officers from DeSoto County to come and help them get their paperwork corrected from other agencies and do some training. He stated DeSoto County's officers are very thorough and detailed with their paperwork.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the request to apply for FY18 DUI Grant at a maximum amount of \$170,000.00 and for the Board President to sign all application documents.

The motion passed as follows:

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

#### See Exhibit H.4.a.

# b. Request Board approval to apply for FY18 OP Grant at a maximum amount of \$35,000.00 and for the Board President to sign all application documents

Grant Administrator Tanner Kuntz stated this grant has the same payment and matches as the DUI grant.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the request to apply for FY18 OP Grant at a maximum amount of \$35,000.00 and for the Board President to sign all application documents.

The motion passed as follows:

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

# See Exhibit H.4.b.

# c. Request Board approval to apply for FY17 Justice Assistance Grant at a maximum amount of \$80,000.00 and for the Board President to sign all application documents

Mr. Kuntz stated this grant operates a portion of Juvenile Drug Court and is AOC funded.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the request to apply for FY17 Justice Assistance Grant at a maximum amount of \$80,000.00 and for the Board President to sign all application documents

The motion passed as follows:

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

#### See Exhibit H.4.c.

#### 5. Chancery Court Renovations

Facilities Director Robert Jarman stated he needs the Board President's signature on a contract with Pickering to do the architecture and engineering work for the new courtroom that will be in the Courthouse where Land Records is currently. He stated that part of the job has structural issues and he needs an architect to look at those issues. Mr. Jarman also stated he has met with some of the judges and gotten input from them. Mr. Jarman also informed the Board the construction estimate is \$393,000 and the original budget was \$470,000.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to authorize the Board President to sign the contract pending review by the firm of Smith, Phillips, Mitchell, Scott and Nowak.

The motion passed as follows:

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

Supervisor Medlin stated he does not feel the additional courtroom is necessary.

# See Exhibit H.5.

#### 6. Road Department

#### a. Request to Repair Grass Area at Voting Location - Mineral Wells

Mr. Swims stated some vehicles parked off the pavement and rutted up the grass at the Mineral Wells United Methodist Church as it was used for a voting location. Mr. Nowak stated the lease agreement with the Election Commission states the County will repair any damage associated with voting, or the Board can find that the cost will not exceed the benefit of the County's use of the building.

Mr. Swims stated the cost will be just a few hundred dollars.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to repair the grass area at the Mineral Wells voting location finding the cost will not exceed the benefit of the County's use of the building.

The motion passed as follows:

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

#### See Exhibit H.6.a.

#### b. Finding of Fact – 3037 & 3084 Nikki Lakes Drive

Mr. Swims stated this has been an issue for quite some time. He stated that water goes over the road at Nikki Lakes and Tulane regularly and he would like to put a small pipe in an existing pond to drop the

level and keep it from being full and running over the levee and flooding the road.

Supervisor Caldwell stated the pond was originally intended to be the detention pond, but it was not done properly. She said when the bank took over the subdivision, they sold the lot with the pond. Supervisor Caldwell showed the Board a picture of water running across the road and stated the area has been graveled several times and it just washes into the ditch.

Mr. Swims recommended doing the work now as the pond is very low and putting a pipe under Tulane to take the water to the ditch, as well as fixing the ditch across the road.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the work as recommended by Mr. Swims finding the flooding of the road affects the integrity of the public roadway and affects the health, safety and welfare of the public.

# The motion passed as follows:

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

#### See Exhibit H.6.b.

#### 7. Contract Administration

# a. Facilities - Cummings Mid-South - Signature Required - Contract Amount Changed

Mrs. McLeod stated this is a maintenance contract for all the generators. She pointed out the price of the contract went up \$171.00 from last year.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve payment of the Cummings Mid-South contract in arrears.

# The motion passed 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	<b>YES</b>
Supervisor Michael Lee, Fifth District	<b>YES</b>

#### See Exhibit H.7.a.

# b. EMS - CMS Medicare & Medicaid Services Government Letter

EMS Director Mark Davis stated the EMS Department is in the process of Medicare revalidation. He said this letter states if Medicare overpays, the County will reimburse them the overpayment.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to authorize the Board President to sign the letter as presented by Mr. Davis.

# The motion passed as follows:

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

#### See Exhibit H.7.b.

#### 8. EMS Medical Director

Mr. Davis stated Dr. Washington has submitted his letter of resignation and they have had two people express interest in the position of Medical Director.

He stated he and the EMS Committee would like to recommend Dr. Thompson to take over effective January 1, 2017.

Supervisor Gardner stated everyone knows what Dr. Thompson has done for the jail and the SWAT team and that he has saved DeSoto County a lot of money. Supervisor Medlin also pointed out Dr. Thompson is a DeSoto County resident.

Mr. Davis stated he has spoken with the Fire Chiefs in all the cities, as the Medical Director also works with the cities, and they are all in favor of his recommendation.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to accept the letter of resignation from Dr. Washington to be effective December 31, 2016 and appoint Dr. Thompson to the position of Medical Director to be effective January 1, 2017, and authorize the firm of Smith, Phillips, Mitchell, Scott and Nowak to draw up a contract with Dr. Thompson.

The motion passed as follows:

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

#### See Exhibit H.8.

# 9. Scenic Hollow PUD

Supervisor Russell informed the Board of a situation at Poplar Corner and Goodman that made an 80 acre section a PUD. He stated the couple that sold the property only sold 75 acres, but a 5 acre parcel got included in the overlay somehow.

Mr. Todd Campbell is a realtor who represents Vernon and Dorothy Coggins. He stated they sold the 5 acres in question and all the title work came back clear. He stated the potential buyer was then told he could not purchase or build because of the PUD overlay.

Supervisor Russell stated the PUD was approved in 2005, and no work has been done on this 5 acres except for a clearing of the land. Mr. Nowak stated there would have to be a public hearing to rezone the area to clear the land to be able to sell it.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to set a public hearing for December 19, 2016 at 11:00 a.m. to have a zoning hearing to rezone the PUD to release the 5-acre tract.

The motion passed as follows:

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

#### See Exhibit H.9.

Mr. Campbell stated he needed a simple explanation to this elderly couple why they cannot sell their property. Supervisor Medlin stated the 5 acres was included in the PUD and it has to go through the

legal channels to reverse the zoning.

#### 10. Fire Department Radio Communication

Supervisor Lee stated Chief Witt told the Fire/EMA Committee since the radio change-over the fire departments are not able to communicate with the Sheriff's Department. Supervisor Lee reminded the Board there was \$125,000 reserved for Love to build a satellite station, and that money has not been used, and probably won't be for quite a while. He suggested taking part of that money and buying radios for the fire departments. Supervisor Lee stated they talked about getting 5 per department, but Chris Olson stated 3 per station would be sufficient and they could use the APx1000.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to reallocate up to \$50,000 from Love Fire Department to purchase radios for the volunteer fire departments and authorize the firm of Smith, Phillips, Mitchell, Scott and Nowak to determine if it is permissible to use those funds for fire equipment.

The motion passed as follows:

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

Supervisors Gardner Caldwell expressed frustration because the volunteer fire departments were asked if they needed new radios when the rest were being purchased and they said no. Mr. Nowak came back to the Board and said the purchase would be permissible.

#### 11. Chancery Computer Support

Mrs. Lynchard asked Chancery Clerk Misty Heffner to update the Board. Mrs. Heffner stated when she took over Chancery, she had no IT support. She stated they have done well, but they need to look at options and be under the IT Department for support. She stated John Mitchell has been helping with the Granicus transition so it will be smooth.

Mrs. Lynchard stated Mrs. Heffner would like to operate just as the Circuit Clerk does, and will buy her hardware out of her fees. Mrs. Heffner agreed and stated they just really need IT support.

Mr. Mitchell stated he is looking at bringing Land Records and Chancery Court Records up to the same standard as everyone else, and Mrs. Heffner is funding that. He stated she has an inquiry room with computers and equipment that provide access to multiple offices not limited to just Chancery records; and IT has agreed to split that cost with Chancery. He stated the needed upgrades in the courtrooms will be funded out of IT's budget.

Mr. Mitchell stressed the danger of relying on past support that Chancery has had. Mrs. Heffner stated their past person was getting harder and harder to get to for help. She said going with Granicus will eliminate a majority of that problem. Mr. Mitchell stated Chancery is moving onto the same platform as everyone else. He said Mrs. Heffner will pay for the hardware, software and original costs for Land Records, they will split the costs for maintenance, IT will pay for the courtrooms and 50% of the software.

Mrs. Lynchard stated Mrs. Heffner is trying to get on a more stable system. Mrs. Heffner stated it is the best move for Chancery and the public.

No Board action was required.

#### 12. Riverkings Outreach

Animal Services Director Monica Mock stated they have been approached about participating in the Dachshund Dash at halftime of the Riverkings game. She stated it will be very good advertisement for the shelter.

Supervisor Russell asked where the dogs came from. Mrs. Mock stated they came in as a pair, and the owners have not been found. She stated they are house trained and very sweet. Mrs. Mock said her staff has been practicing for the event.

Mrs. Mock stated she would like the staff to be in uniform, so she would like to pay them overtime. Supervisor Gardner recommended Mrs. Mock e-mail the logo to the Landers Center and they will have it on display.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize the Animal Services staff to participate in the event, qualify for overtime, and authorize the Board President to sign the form.

# The motion passed as follows:

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

#### See Exhibit H.12.

#### Addendum:

Supervisor Gardner informed the Board that he, Supervisor Caldwell, and Mr. Tracy Huffman are traveling to Washington, D.C. next week and they have several meetings set up with legislators and the Corps of Engineers. They also have a meeting set up with Senator Lott.

#### I. PLANNING COMMISSION

#### 1. PUBLIC HEARING - 11:00 a.m.

# a. Appeal of Board of Adjustment decision - Mississippi Royals

Supervisor Medlin made the motion and Supervisor Lee seconded the motion to open the Mississippi Royal's Appeal of the Board of Adjustment decision denying a conditional use application Public Hearing advertised for this day.

#### 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	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

Mr. Hopkins presented the appeal of the Board of Adjustment's decision to deny a request by Mike Riley/Mississippi Royals for a Conditional Use to allow an outdoor recreation facility. He stated the Board of Adjustment denied the application due to findings that it will increase traffic hazards and congestion.

Mr. Mike Riley came forward and stated he runs a baseball organization for youth (Mississippi Royals) and that 95% of the children involved in the organization are from DeSoto County. He stated the request was for a facility to practice baseball and would only be used seasonally. He then stated that their organization never had any issues with traffic or parking at the old facility they used in Olive Branch.

Supervisor Medlin asked who owns the property and how many acres is the property in question. Mr. Riley stated his son owns the property and it is approximately 6 ½ acres, He then stated he lives right next door to the property.

Mr. Riley then stated that since the Board of Adjustment meeting he has decided to not build the outdoor infield, that they have found another place for that type of practice.

Supervisor Lee asked what size is the building requested. Mr. Riley stated it is 9,600 sq. ft. for the indoor facility and 2800 sq. ft. for the pole barn type building to be used for batting cages.

Supervisor Caldwell asked how large the parking lot is. Mr. Riley stated he has at least an acre that can be used for parking but really only needs 25 parking places.

Supervisor Medlin asked how do players become a part of the organization. Mr. Riley stated they hold tryouts.

Supervisor Medlin asked if individuals can use the facility. Mr. Riley stated only members of the organization can use the facility.

Supervisor Lee asked if there is a fee to play for a team in their organization. Mr. Riley stated yes there is a fee to play that covers the cost of uniforms, games, and etc. Supervisor Caldwell stated that sounds like a commercial type business because the members will be paying to use the facility. Mr. Riley stated you could look at it that way.

Supervisor Lee Mr. Riley, if the property is owned by your son what is his connection to the project? Mr. Riley stated he owns the property and played professional ball and wanted to build the place to practice in the off season. He thought it would be a good combination with the organization.

Supervisor Russell asked if this is a for profit organization. Mr. Riley stated the money goes back into the program, but that they do pay some of the coaches.

Mr. Gary Blaylock came forward and stated he has lived in DeSoto County his entire life. He stated he is a part of this organization and that there are 15 teams. He stated the organization gives kids from DeSoto County the opportunity to progress their baseball skills. Supervisor Lee asked if there are 15 teams, how many kids are on each team. Mr. Riley stated there are approximately10-12 kids per team.

Supervisor Medlin asked when the facility would be used. Mr. Blaylock stated it would be used from November to February, depending on the age group. Supervisor Medlin asked how many years did the applicant request for the Conditional Use. Mr. Riley stated they did not specify a number of years.

Mr. Riley stated a portion of the property is zoned commercial. There was discussion of which portion of the property is zoned commercial.

Supervisor Medlin asked if there was anyone to speak for or against this item.

Mr. Keith Ferrell came forward and presented a list of concerns the neighbors have, which include the following:

- Set backs
- Off street parking area
- Driveway entrances
- Types of structures included in project
- Building permit requirements
- Operating times
- Noise restrictions
- Duration of possible conditional use
- Modifications allowed of conditional use
- Violations of restrictions
- Actual owners of property
- Should this really be a rezoning
- Is this a commercial venture

Who receives the proceeds from this facility

Supervisor Gardner asked Mr. Hopkins to explain why this application is for a Conditional Use instead of a rezoning. Mr. Hopkins stated a Conditional Use allows for more control of the uses on the property. He then stated if the property was rezoned, to like a C-2 Zone, the applicant could use the property for any of the permitted uses in that zoning category.

Supervisor Gardner asked if Mr. Ferrell has met with Mr. Riley and Mr. Blaylock about his concerns. Mr. Ferrell stated they were supposed to get together before the last Board of Adjustment meeting but Mr. Riley stated he was not able to get in contact with Mr. Ferrell or any of the other neighbors.

Mr. Ferrell stated this type of facility should be located somewhere less residential that does not already have traffic congestion.

Supervisor Gardner asked if Mr. Ferrell would be opposed to the operation all together or would he be willing to meet with the applicants to discuss a compromise. Mr. Ferrell stated he would be willing to work with the applicants on a compromise but that he can only speak for himself.

Supervisor Medlin asked what the weekday hours of the proposed project. Mr. Riley stated approximately 3:30 p.m. until 9:00 p.m.

There was discussion of whether this organization was an LLC or a 501-3c.

Bill Darby – 4115 Byhalia Road - came forward and has the following concerns:

- Part of his property was cleared without his knowledge
- Decreased property value
- Feels this a for profit venture
- Feels should not approve for one neighbor when all the other neighbors are against it

Supervisor Gardner asked Mr. Darby if he felt he could work out a compromise with the applicant. Mr. Darby stated he feels this is too intensive of a use for the area and will increase noise. He then stated it is a for profit venture being pushed on to the neighbors.

Terry Cantrell – 255 Malone Road – came forward and is concerned with the following:

- Feels the neighbors have been told different things, first an outdoor recreation, then practice fields and then a baseball facility
- Sanitation
- Increased noise in a peaceful community

Supervisor Gardner asked what the sanitation plans are for this project. Mr. Riley stated they have approval for a treatment system by the Health Department.

Gerald Cooper – 371 Malone Road - came forward and has the following concerns:

- Flooding, where will the water go once additional buildings are built changing the water flow
- Ditch cannot handle the additional water

Supervisor Gardner asked Mr. Andy Swims to address the flooding concerns. Mr. Swims stated that there are ways that the water can be slowed down to address this concern.

James Smith – 203 Malone Road - came forward and has the following concerns:

- Increased traffic
- Traffic safety
- Feels this is the wrong location for this type of operation

Renee Fowler – 221 Malone Road – came forward and is concerned with the following:

- Increased traffic
- A for profit venture in a residential area

Brandi Rainwater came forward and stated she is concerned with the following:

- Lighting
- Increased traffic
- Traffic safety
- · Decreased property on her property which abuts the proposed site

Terry Cantrell stated he feels this type of operation would be better located near a school or Snowden Grove not in a neighborhood.

Mr. Riley stated there would be no outfield. The original concept only had an infield and they have since decided to take the infield out of the plan. He then stated all activities will be indoor now. He stated he wanted to do crushed concrete for the parking to help with run-off. Mr. Riley stated 95% of the kids are from DeSoto County and live in the area so will not increase traffic.

Supervisor Medlin asked if there will be lighting. Mr. Riley stated there will be no baseball lights. Supervisor Caldwell asked if there will be any lighting on the parking lot. Mr. Riley stated there will not be any lighting on the parking lot.

Supervisor Gardner stated at the Board of Adjustment meeting the applicants stated they made multiple attempts to meet with the neighbors, but were unable to contact the neighbors. Mr. Riley stated he made multiple attempts.

Supervisor Lee stated these are always tough decisions. He then stated he has received numerous phone calls and visits from neighbors due to ground breaking being done on the proposed site. He then stated he feels this is a for profit venture. He stated he is concerned with the location and who will be affected by the proposed operation. Supervisor Lee stated he has also heard concerns with water run-off and increased traffic.

Supervisor Lee made a Motion to deny the Appeal, and affirm the Board of Adjustment's decision to deny the application for an outdoor recreation facility, as presented, and stated that after giving consideration of the recommendations of the planning department, the comments received from the applicant and the public, the documents presented, his knowledge of the neighborhood, the location of the property and the impact to the neighborhood, and upon giving consideration to all the factors in the relation to the application for a conditional use, there are sufficient facts to demonstrate:

That the use is not in character with the neighborhood; it will create excessive noise, increase traffic congestion, adversely affect the general welfare of the county, and the county will not

benefit from the proposed use as presented. Supervisor Caldwell seconded the 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	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

There was general discussion of possible alternative locations and park locations.

Supervisor Gardner made the motion and Supervisor Medlin seconded the motion to close the Public Hearing.

# 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	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

# 2. NEW BUSINESS

# a. Preliminary Subdivision

i. Kasic Subdivision, Phase 2 (7087) - Application is for preliminary subdivision approval of three (3) lots on 4.58 acre(s). Subject property is identified as Parcel(s) #2-05-2-04-00-0-00002-00. Subject property is located on the north and south side of Miller Station Road and east of Center Hill Road in Section 4, Township 2, Range 5 and is zoned (R-30). (District 1) Applicant: Kenny Creed

Mr. Hopkins presented the application for Kasic Subdivision, Phase 2 for preliminary subdivision approval of three (3) lots on 4.58 acre(s). He stated Mr. Henry Porter was present to represent the application.

Mr. Porter presented the application.

Supervisor Medlin asked if there was anyone to speak for or against the application. There was no one.

Supervisor Medlin made a Motion and Supervisor Caldwell seconded the Motion to approve the preliminary subdivision of Kasic Subdivision, Phase 2.

#### 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	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

# b. Final Subdivision

i. Brookside – 2<sup>nd</sup> Revision – Application is for minor lot subdivision approval of 2 lots on 4.15 acres. Parcel #4-08-5-16-00-0-00009-01. Subject property is located on the south side of Wheeler Road and west of Tulane Road in Section 16, Township 4, Range 8 Applicant: Barbara Campbell

Mr. Hopkins presented the application for Brookside Subdivison, 2<sup>nd</sup> Revision for final subdivision approval of two (2) lots on 4.15 acre(s). He stated Mr. Adam Huey was present to represent the application.

Mr. Huey presented the application.

Supervisor Medlin asked if there was anyone to speak for or against the application. There was no one.

Supervisor Lee made a Motion and Supervisor Caldwell seconded the Motion to approve the final subdivision of Brookside Subdivision, 2<sup>nd</sup> Revision.

# 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	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

ii. Legacy Park - Phase 2 – Application is for final subdivision approval of 1 lot on 56.69. Parcel# 1-06-7-36-01-0-00002-00 North side of Highway 302 and west of Polk Lane in Section 36, Township 1, Range 6W and is zoned PB, Planned Business District 1 Applicant: Hillwood

Mr. Hopkins presented the application for Legacy Park, Phase 2 for final subdivision approval of one (1) lot on 56.69 acre(s). He stated Mr. Sean Wood was present to represent the application.

Mr. Wood presented the application.

Mr. Cardosi stated the final plat does substantially conform to the preliminary plat.

Supervisor Caldwell stated she has some concerns such as the developer was to give support to different community groups and that has not happened. Supervisor Gardner stated there have been no corporate office settings that were promised during the rezoning. Supervisor Caldwell stated she would like to see some support for the volunteer fire department and other community groups in the area. Mr. Wood stated they are industrial developers and the concept is typical of our developments. Supervisor Caldwell stated she would like to have a meeting set-up to discuss their concerns.

Mr. Nowak stated the County has not received a release of the deed of trust that is a lien against the two acres Hillwood is to deed to the County.

Supervisor Medlin made a Motion and Supervisor Lee seconded the Motion to approve the final subdivision of Legacy Park, Phase 2.

#### THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

iii. Red Banks Road Subd., Section B (7076) - Application is for final subdivision approval 24 lot(s) on 64.6 acre(s), identified as Parcel #3-05-3-07-00-0-00001-00, located on the east side of Red Banks Road and south of Byhalia Road in Section 7, Township 3, Range 5 and is zoned Agricultural (A) (District 1) Applicant: EBI Red Banks, LLC

Supervisor Caldwell recused herself from this item.

Mr. Hopkins presented the application for Red Banks Road Subd., Section B for final subdivision approval of twenty-four (24) lots on 64.60 acre(s). He stated Mr. Joe F. Lauderdale was present to represent the application.

Mr. Lauderdale presented the application.

Supervisor Medlin asked what road will the road within the subdivision line up with to the east. Mr. Lauderdale stated it will be a possible section line road not built yet.

Supervisor Medlin stated Mr. Bailey spoke with the neighbor across the Red Banks Road from the development concerning possible silt that ran off the site into the neighbor's lake and agreed to clean the silt out if it gets in the lake.

Supervisor Medlin asked if there was anyone to speak for or against this item. There was no one.

Supervisor Russell stated he is concerned with the 30 ft easement along the northern property line. Mr. Lauderdale stated it was set aside for a possible greenway in the future. There was discussion of how the easement should be addressed on the plat. It was stated that the plat should identify the easement as a public trail easement and that a note should be on the plat stating that there be no permanent structures located within the 30' walking trail easement.

Supervisor Medlin made a Motion and Supervisor Russell seconded the Motion to approve the final subdivision of Red Banks Road Subd., Section B with the condition that the 30ft walking trail easement is properly identified on the plat and there be a covenant that no permanent structures be located within the trail easement.

#### 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. CONSENT

i. SP Capital One Lot Minor Lot (7099) - Application is for final subdivision approval 1 lot(s) on 1.68 acre(s), identified as Parcel #4-07-3-07-00-0-00004-01. Subject property is located on the north side of Love Road and west of Love Station Loop in Section 4, Township 7, Range 4 and is zoned Agricultural (A). (District 5) Applicant: SP Capital Investment

Mr. Hopkins presented the SP Capital One Lot Minor Lot. He then stated the application meets all Subdivision Ordinance requirements.

Supervisor Lee made the motion and Supervisor Russell seconded the motion to approve the SP Capital One Lot Minor Lot as presented.

# 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	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

ii. Dean Road / Eagle Land Minor Lot (7100) – Application is for final subdivision approval of 3 lots on 6.3 acres from a 109 acre parcel. Identified as parcel #2-08-9-31-00-0-00001-00. Subject property is located on the south side of Dean Road, west of Fogg in Section 31, Township 2, Range 08 in District 4, zoned AR. Applicant: Mike Bailey / Civil Link

Supervisor Caldwell recused herself from this item.

Mr. Hopkins presented the Dean Road / Eagle Land Minor Lot. He then stated the application meets all Subdivision Ordinance requirements.

Supervisor Lee made the motion and Supervisor Gardner seconded the motion to approve

the Dean Road / Eagle Land Minor Lot as presented.

# 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

See Exhibit I.

# J. EXECUTIVE SESSION

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

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to adjourn the Board meeting until Monday, December 5, 2016, at 9:00 a.m.

The motion passed by a vote as follows:

<u>YES</u>
<u>YES</u>
<b>YES</b>
<u>YES</u>
<u>YES</u>

THIS the 21<sup>st</sup> day of November, 2016, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Jessie Medlin, President DeSoto County Board of Supervisors