

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

MARK GARDNER, PRESIDENT 2013 PRESIDING

October 21, 2013

A. CALL TO ORDER

The October 21, 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
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

Supervisor Gardner

B. INVOCATION

Supervisor Lee Caldwell presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. CITIZENS REMARKS & PRESENTATIONS

Supervisor Mark Gardner welcomed the third grade class from Southaven Intermediate School to the Board Meeting and Teacher, Ms. Sarah Jessica Winders. Supervisor Gardner said he appreciated the children showing interest in government.

1. Picture Ceremony Recognition of the 1956 - 1960 Board of Supervisors

Supervisor Mark Gardner said Dr. Johnny Loftin has donated a picture of a prior Board of Supervisors dated 1956-1960. He said we have framed the picture and attached a nameplate and the picture will hang in the hallway outside the Board Room. Supervisor Gardner said several family members are here for the presentation and the Board appreciates everyone being here for this presentation.

The Board read excerpts from Board minutes from August 2, 1960. They noted that Mr. W.H. Austin was the Board President at that time.

Supervisor Bill Russell said all of these Board members were visionaries. They had a vision for what was to come in this county and what could be accomplished. He said in 1960 there were only four schools. Supervisor Russell said the number of kids in school now in DeSoto County is more than the entire population of DeSoto County in 1960. He said there are rooms filled with books regarding zoning and minutes and everything was done according to steps listed in the books. Supervisor Russell said those Board members deserve a lot of credit. DeSoto County was the first county in Mississippi to have zoning.

Supervisor Jessie Medlin said the retirement system affects the Board of Supervisor, City employees, Elected Officials and Teachers. This Board helped start that system and Supervisor Medlin read the minutes from that time regarding the retirement system.

Supervisor Medlin said he did not have the privilege of knowing all of the gentlemen but he did know a couple of them. He said he had the pleasure of knowing Mr. Will Maxwell and milked cows for him. He was a fine man.

Supervisor Medlin said this current Board meets twice a month and that Board met sometimes 3-4 days in row. One time they met on Saturday. Supervisor Medlin said traveling to the meetings was harder back then too.

The assessed value in 1960 was \$13 million and today the assessed value is well over \$1 billion. Supervisor Medlin said the Board helped start the retirement system, road work and had the foresight for planning and zoning. He said we were very fortunate to have those representatives.

Supervisor Medlin read the following regarding comparison examples of county purchasing:

1961	\$6,000 for phones & postage
2014	\$152,000 for phones & \$179,000 for postage
1961	\$5,000 for Retirement & this year \$3 million

The Board of Supervisors and media took pictures of the family in attendance for the presentation.

E. Approval of Agenda: Additions and Deletions

1. Melissa Zizmann Grants Administrator requested adding the Occupant Protection and DUI Grant to the Agenda.
2. Road Manager Andy Swims requested adding accepting the roads in Bar E Ranchettes to the Road Register on the Consent Agenda.
3. Chief Financial Officer Tom Arnold requested adding the following:
 - a. Budget amendment: 2014 Capital Projects fund to reallocate funds for the jail expansion project for the new Jail.
 - b. Late Bills:
 - 1) Invoice for Vulcan Materials
 - 2) Camp McCain: Lodging for Sheriff's Department
 - d. To correct error in property assessment resulting in erroneous land sale
 - e. 2013-14 Audit Services or Financial Statement: Advertise and seek proposals
4. Board Attorney Tony Nowak requested adding Bid Specifications from Evans Taylor Foster and Childress for the Jail expansion project.
5. County Administrator Vanessa Lynchard requested the following:
 - a. Approval of bills for Special Prosecutors in Justice Court
 - b. MDOT Certification from Sub-Awards
 - c. Remove item number F.8 Tax Collector: Approval of Petty Cash

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

The motion passed by a vote as follows:

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

1. Melissa Zizmann Grants Administrator requested adding the Occupant Protection and DUI Grant to the Agenda.

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to approve Tom Arnold as a second signatory for the Occupational Protection Grant and the DUI Grant.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>ABSENT</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 Harvey Lee, Fifth District	<u>YES</u>

2. Road Manager Andy Swims requested adding the roads in Bar E Ranchettes to the Road Register on the Consent Agenda. This item is on the Consent Agenda as item number F.9.b.

3. Chief Financial Officer Tom Arnold requested adding the following:

a. Budget amendment: 2014 Capital Projects fund to reallocate funds for the jail expansion project for the new Jail

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve the budget amendment for the 2014 Capital Projects fund to reallocate funds for the jail expansion project for the new Jail as detailed in Exhibit E.3.a.

The motion passed by a vote as follows:

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

See Exhibit E.3.a.

b. Late Bills

1) Invoice for Vulcan Materials

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to pay a late bill to Vulcan Materials for the Road Department in the amount of the sub-total of \$2,803.86 instead of the grand total.

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 Harvey Lee, Fifth District	<u>YES</u>

See Exhibit E.3.b.1

2) Camp McCain: Lodging for Sheriff's Department

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve paying the lodging at Camp McCain for the Sheriff's Department to attend a conference in the amount of \$18 per night per person.

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 Harvey Lee, Fifth District	<u>YES</u>

See Exhibit E.3.b.2

c. To correct error in property assessment resulting in erroneous land sale

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve refunding \$214.73 to Elaine D. Shinault out of the county general fund, which were submitted for a parcel erroneously sold at the land tax sale, this being the tax amount that she submitted to the DeSoto County Tax Collector at the August 2011 tax sale without interest.

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 Harvey Lee, Fifth District	<u>YES</u>

See Exhibit E.3.c

d. 2013-14 Audit Services or Financial Statement: Advertise and seek proposals

This item was included in the motion and vote on the Consent Agenda.

4. Board Attorney Tony Nowak requested adding Bid Specifications from Evans Taylor Foster and Childress for the jail expansion project for the new Jail.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve accepting the bid specifications for jail expansion project for the new Jail in substantial form, with such completions, changes, insertions and modifications as shall be approved by the architect and board attorney, the publication of the specifications shall constitute conclusive evidence of approval of any such completions, changes, insertions and modifications. Said specifications are detailed in Exhibit E.4.

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 Harvey Lee, Fifth District	<u>YES</u>

See Exhibit E.4

5. County Administrator Vanessa Lynchard requested the following:

a. Approval of bills for Special Prosecutors in Justice Court

Ms. Lynchard said that there have been four appointments for Special Prosecutors for Justice Court since the ordinance started. She said Special Prosecutor Mark Sorrell was in a period where

he could not accept pay of \$400 for his service and he requested he not be paid.

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to deny payment of \$400 to Mark Sorrell for services at Justice Court.

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 Harvey Lee, Fifth District	<u>YES</u>

Ms. Lynchard said that Bryon Mobley is serving in an on-going case that started prior to the recent board order establishing guidelines for the appointment and payment of special prosecutors.

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to approve paying Byron Mobley as order by the Justice Court Judges until this case is finalized.

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 Harvey Lee, Fifth District	<u>YES</u>

Ms. Lynchard presented two more requests which were emergency appointments.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve paying two prosecutors that served during emergency situations, as directed by the orders of the Justice Court Judges.

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 Harvey Lee, Fifth District	<u>YES</u>

See Exhibit E.5.a

b. MDOT Certification from Sub-Awards

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to approve the MDOT Certification Form for Sub-Awards Executive Compensation Reporting or Transparency Act and for the Board President to sign the document.

The motion passed by a vote as follows:

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

See Exhibit E.5.b

c. Remove item number F.8 Tax Collector: Approval of Petty Cash

F. CONSENT AGENDA

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

1. Office of Finance and Accounting

a. Budget Amendments

b. Inventory Control Dispositions

1) Sheriff's Dept. (SID) – Declaration of Forfeitures (3)

AGENCY	CASE #		DATE DECLARED	MFGR	YEAR	DESCRIPTION	SERIAL #	VALUE
SID	2013-39824	DONALD L KINKADE JR	10/02/13	CHRYSLER	2002	SEBRING (GOLD)	1C3E656R32N140389	2000.00
COUNTY ASSET #43376						T210-L227-F120-D200		
AGENCY	CASE #		DATE DECLARED	MFGR	YEAR	DESCRIPTION	SERIAL #	VALUE
SID	2013-39860	MARVIN M MANOIS	10/02/13	MAZDA	2007	B2300 (GRAY)	4F4YR12037PM01551	8000.00
COUNTY ASSET #43377						T210-L227-F120-D200		
AGENCY	CASE #		DATE DECLARED	MFGR	YEAR	DESCRIPTION	SERIAL #	VALUE
SID	2012-1085	TERRY GREER	10/15/13	NISSIAN	2002	INFINITI i35 (BLACK)	JNKDA31A02T009210	3500.00
COUNTY ASSET #43378						T210-L227-F120-D200		

2) Sheriff's Dept. – Final (2)

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
38418	FORD 2005 CROWN VIC	2FAHP71W05X127081	HIGH MILEAGE / SURPLUS - AUCTION	08	13K	SO - CENTRAL MAINTENANCE	09/16/13	AMY HENLEY	GOVDEALS.COM
38419	FORD 2005 CROWN VIC	2FAHP71W45X156762	HIGH MILEAGE / SURPLUS - AUCTION	08	12K	SO - CENTRAL MAINTENANCE	09/16/13	"	"
SHERIFF DEPT - FINAL 2									
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
34053	FORD 2001 CROWN VIC	2FAFP71W91X177706	DECLARE SURPLUS / AUCTION	04	12K	SO - CENTRAL MAINTENANCE	09/19/13	AMY HENLEY	GOVDEALS.COM
35144	FORD 2005 CROWN VIC	2FAHP71WX5X127086	DECLARE SURPLUS / AUCTION	07	13K	SO - CENTRAL MAINTENANCE	09/19/13	"	"
38414	FORD 2005 CROWN VIC	2FSHP71W05X156838	DECLARE SURPLUS / AUCTION	08	13K	SO - CENTRAL MAINTENANCE	09/19/13	"	"
38421	FORD 2005 CROWN VIC	2FAHP71W75X156755	DECLARE SURPLUS / AUCTION	08	12K	SO - CENTRAL MAINTENANCE	09/19/13	"	"
38704	FORD 2006 CROWN VIC	2FHAP71W16X154713	DECLARE SURPLUS / AUCTION	08	14K	SO - CENTRAL MAINTENANCE	09/19/13	"	"
38872	FORD 2007 CROWN VIC	2FAHP71W77X128070	DECLARE SURPLUS / AUCTION	09	14K	SO - CENTRAL MAINTENANCE	09/19/13	"	"
39805	FORD 2007 CROWN VIC	2FAHP71W17X128114	DECLARE SURPLUS / AUCTION	09	13K	SO - CENTRAL MAINTENANCE	09/19/13	"	"
39807	FORD 2006 CROWN VIC	2FAHP71W26X154722	DECLARE SURPLUS / AUCTION	09	12K	SO - CENTRAL MAINTENANCE	09/19/13	"	"
40581	FORD 2007 CROWN VIC	2FAHP71W07X128086	DECLARE SURPLUS / AUCTION	10	13K	SO - CENTRAL MAINTENANCE	09/19/13	"	"

3) Sheriff's Dept. (SID) – Final (2)

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
42030	FORD 2008 F150	1FTRW12W08FB36182	SURPLUS / AUCTION			SID LOT	08/05/13	AMY HENLEY	GOVDEALS .COM
			FORFEITURE: 03/2012 - \$14,000.00						
42516	FORD 2002 FOCUS	3FAFP37342R192104	SURPLUS / AUCTION			SID LOT	08/05/13	"	"
			FORFEITURE: 02/2013 - \$5,000.00						
42870	TOYOTA 1998 TACOMA	4TAWN72N9WZ010748	SURPLUS / AUCTION			SID LOT	08/05/13	"	"
			FORFEITURE: 04/2013 - \$7,500.00						
42871	CADILLAC 2004 CTS	1G6DM577840180682	SURPLUS / AUCTION			SID LOT	08/05/13	"	"
			FORFEITURE: 04/2013 - \$7,500.00						

SHERIFF DEPT - SID #2

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
43448	ACURA 1992 (GREEN)	JH4KA8270NC004911	SURPLUS / AUCTION			SID LOT	09/03/13	AMY HENLEY	GOVDEALS .COM
			FORFEITURE: 06/26/13 - \$2,500.00						
43449	PONTIAC 2006 G6 (WHITE)	1G2ZG558664162476	SURPLUS / AUCTION			SID LOT	"	"	"
			FORFEITURE: 07/15/13 - \$4,499.00						
41103	FORD 1998 RANGER (GREEN)	1FTZR15X2WPB27714	SURPLUS / AUCTION			SID LOT	"	"	"
			FORFEITURE: 10/18/10 - \$2,000.00						

2. DeSoto County Youth Court: Employment of Paid Part-time Counselors for Weekend Juvenile Detention

3. Procurement Card Log

Date Out	Time Out	Time In	Vendor	Department	Employee	Description of Purchase	TOTAL RECEIPT
9/3/2013	2:00	3:45	Apple	IT	John Mitchell	Apple App	\$ 24.00
9/5/2013			Go Daddy	IT	John Mitchell	3 Domain Renewals	\$ 59.97

4. Sheriff's Department: Accept Reimbursement Claim from MDOC for Inmate Housing, September 2013

5. Establish as Part of the Formal Record and Enter into the Board's Minutes

a. Resolution: DeSoto County Board of Supervisors, Support for the C-Spire Fiber to the Home Initiative

b. CDBG Grant – Notification of No Funding

6. Road Department

a. Safety Officer's Report

b. Request for School Bus Turnaround

Location	Bus #	Owner	Phone
10260 N. Cockrum	446	Joseph Smith	901-338-9397

7. Facilities Management: Siemens Closeout Documents and Final Acceptance; Board President to Sign

8. Tax Collector: Approval of Petty Cash – This item was removed.

9. Chancery Clerk’s Office

a. 2009 Homestead Chargebacks – Reimbursement for Money Paid at 2011 Tax Sale

Landowner	Parcel	Tax Purchaser Name	Amount
Anderson, Steve	3073 0805 17.00	JFCJ INC	\$3011.96
Moore, Kayla	3087 3500 2.01	Elizabeth Joann Belk	\$234.12
HUD	1087 2607 61.00	SAD	\$324.00
Davis, Cindi	1068 3478 4 70.00	Adair Asset Mgmt.	\$324.00

b. Chancery Allowances (2) \$1,916.66 \$1,600.00

Supervisor Jessie Medlin asked if the C-Spire agreement prevents other companies from coming into the county. Supervisor Lee Caldwell said no; she said she would give an update later in the meeting.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve the actions set forth in Consent Agenda; to remove Item F.8 for the Tax Collector: Approval for Petty Cash; to include the 2013-14 Audit Services or Financial Statement to Advertise and seek proposals and to include accepting the road in Bar E Ranchettes Subdivision and adding roads to the County Road Register as follows:

Bar E Ranchettes S/D

Road	Location	Length	Width	Cove
Skyline Drive	From Rising Sun Rd. to Horn Lake Rd. South	1834 feet	22 feet	
Horn Lake Road South	From Oak Grove Rd. to end	2930 feet	22 feet	80 feet
Corral Drive	From Horn Lake Rd. South to end	634 feet	22 feet	80 feet
Oak Grove Cove	From Oak Grove Rd. to end	893 feet	22 feet	80 feet

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 Harvey Lee, Fifth District	<u>YES</u>

See Exhibit F

G. OLD BUSINESS

1. Facilities Management

a. Olive Branch Health Department

Facilities Director Tony Martin said he met with Ms. Pat Sylvester of the Health Department to discuss minor renovations to the building. He said the work is minimal and could be done in-house and will start within the next month.

b. Quotes for additional structure in Administrative Building Rotunda Area

Facilities Management Director Tony Martin said the Rotunda in the Administration Building loses a lot of cool air in the summer and loses substantial heat in the winter. Mr. Martin said they have talked to people about building an air pocket at the front door similar to the back door. He presented one price for the Board to have a general idea of the cost and what it would entail to make the Rotunda more energy efficient. It would also help keep employees more comfortable who work in the area.

The Board discussed various ways to resolve the situation in the most efficient manner. They also discussed the security detectors, revolving doors and handicap access.

County Administrator Vanessa Lynchard said this item is not in the budget.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to take the matter of building a structure in the Rotunda of the Administration Building to make it more energy efficient 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>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit G.1

2. Board Attorney

a. Greenbrook Water Tower Park Request for Attorney General's Opinion to convey County property to the City of Southaven

Board Attorney Tony Nowak said previously he presented information regarding Verizon wanting to enter the park. Southaven maintains the park but it is county-owned property. He said past Attorney General Opinions states that cities do not own parks upon annexation like they own roads on annexation. The City of Southaven desires to seek an opinion as to whether or not the County could convey title for the park to the City upon a finding that the City's maintenance is sufficient consideration. Mr. Nowak suggested the Board join with the City in the opinion request.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve DeSoto County joining with the City in seeking an Attorney General's opinion as to whether or not the County could convey title for the Greenbrook Water Tower Park to the City, upon a finding that the City's maintenance is sufficient consideration.

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 Harvey Lee, Fifth District	<u>YES</u>

See Exhibit G.2.a

b. Resolution request Legislation to allow the transfer of surplus Road Dept. Equipment

Mr. Nowak said that in the last meeting the Board discussed use and transfer of road equipment between county departments and presented a resolution for the Board's consideration. The Board directed him to prepare proposed legislation regarding the transfer of equipment only, and not the shared use of equipment.

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to approve the resolution to request Legislation to allow the transfer of surplus county Road Department equipment to the inventory of the county governing authority or county Sheriff's Department, without the necessity of reimbursing the Road Department.

The motion passed by a vote as follows:

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

See Exhibit G.2.b

c. Addendum to Dale Thompson House & Senate Redistricting

Mr. Nowak presented an addendum to Ms. Thompson’s agreement to update the voting books. Ms. Thompson requires additional time due to the delays in the approval of the new state election districts.

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to approve the addendum to the contract for services with the DeSoto Circuit Court Clerk, as presented.

The motion passed by a vote as follows:

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

See Exhibit G.2.c

3. Inventory Dispositions – Corrections/Changes

a. Road Department – Preliminary: Inventory Purposes

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve the preliminary disposition for the Road Department for inventory purposes as follows:

ASSET #	DESCRIPTION	UNIT	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE
35862	2006 GMC SIERRA TAG #G038365	1	1GTHK29U66R283062	HIGH MILEAGE 149830 / REQUEST TO BE DECLARED SURPLUS FOR AUCTION	06	23K	CENTRAL MAINTENANCE	09/10/13
35914	2006 GMC SIERRA TAG #G042442	11	1GCHK23K37F522148	HIGH MILEAGE 148361 / REQUEST TO BE DECLARED SURPLUS FOR AUCTION	07	27K	CENTRAL MAINTENANCE	"
31707	2002 GMC SIERRA TAG #G023146	84	1GETK14TX2Z312965	HIGH MILEAGE 183265 / REQUEST TO BE DECLARED SURPLUS FOR AUCTION	02	19K	CENTRAL MAINTENANCE	"
33761	2005 GMS SIERRA TAG #G032868	95	1GTHK29U65E244177	HIGH MILEAGE 147208 / REQUEST TO BE DECLARED SURPLUS FOR AUCTION	05	22K	CENTRAL MAINTENANCE	"
35790	2005 GMS SIERRA TAG #G033382	98	1GTHC29U85E268753	HIGH MILEAGE 156382 / REQUEST TO BE DECLARED SURPLUS FOR AUCTION	05	20K	CENTRAL MAINTENANCE	"
35906	2007 GMC UTILITY TRK TAG #G042462	12	1GDE4C3927F419203	HIGH MILEAGE 217862 / REQUEST TO BE DECLARED SURPLUS FOR AUCTION	07	47K	CENTRAL MAINTENANCE	"
33768	2005 INT'L DUMP TRK TAG #G033111	105	1HTMMAAR36H182153	REPAIR COSTS - MILEAGE 71625 / REQUEST TO BE DECLARED SURPLUS FOR AUCTION	02	44K	SOUTHERN MAINTENANCE	"
33774	2005 INT'L DUMP TRK TAG #G033109	107	1HTMMAAR76H182155	HIGH MILEAGE 173470 / REQUEST TO BE DECLARED SURPLUS FOR AUCTION	05	44K	CENTRAL MAINTENANCE	"
33776	2005 INT'L DUMP TRK TAG #G033108	108	1HTMMAAR96H182156	HIGH MILEAGE 159205 / REQUEST TO BE DECLARED SURPLUS FOR AUCTION	05	44K	CENTRAL MAINTENANCE	"
36092	VOLVO BACKHOE BL70	720	VC0BL70C00020064	HOURS OF SERVICE 928 / REQUEST TO BE DECLARED SURPLUS FOR AUCTION	09	75K	SOUTHERN MAINTENANCE	"
36094	VOLVO BACKHOE BL70	721	VC0BL70C00020061	HOURS OF SERVICE 919 / REQUEST TO BE DECLARED SURPLUS FOR AUCTION	09	75K	SOUTHERN MAINTENANCE	"
33684	JOHN DEERE 6420 TRACTOR	660	L06420H402515	HOURS OF SERVICE 3876 / REQUEST TO BE DECLARED SURPLUS FOR AUCTION	04	67K	CENTRAL MAINTENANCE	"
35849	JOHN DEERE 6420 TRACTOR	678	L06420H479136	HOURS OF SERVICE 3535 / REQUEST TO BE DECLARED SURPLUS FOR AUCTION	06	77K	CENTRAL MAINTENANCE	"
35904	JOHN DEERE 6430 TRACTOR	698	L06430H522428	HOURS OF SERVICE 3396 / REQUEST TO BE DECLARED SURPLUS FOR AUCTION	07	57K	CENTRAL MAINTENANCE	"

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District NO
 Supervisor Mark Gardner, Second District YES
 Supervisor Bill Russell, Third District YES
 Supervisor Lee Caldwell, Fourth District YES

Supervisor Harvey Lee, Fifth District

YES

Supervisor Medlin said his note vote is based on the fact he wants the equipment to stay in the system.

See Exhibit G.3.a

b. Sheriff’s Department – Surplus from Auction to Disposal Radios

Supervisor Jessie Medlin and Supervisor Bill Russell seconded the motion to approve rescinding the previous order to sell 70 handheld radios of the Sheriff’s Department, declared as surplus and for auction in November, 2013 and March 2013, and to authorize the destruction of radios in lieu of listing on GocDeals.com as the cost associated with the auction would exceed the value of the radios, as fully described in Exhibit G.3.b.

The motion passed by a vote as follows:

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

See Exhibit G.3.b

H. NEW BUSINESS

1. Mayor of Horn Lake

Mayor of Horn Lake Allen Latimer thanked the Board of Supervisors for allowing him to appear. Mayor Latimer said he was here today to continue discussions that they had initiated about 6-8 weeks ago regarding drainage on Cowpen Creek. He said that County Road Manager Andy Swims has looked at the area. Mayor Latimer said \$75,000 is needed to help correct the problem and the City needs help with the money.

Mayor Latimer explained that the drainage issues are affecting some of the bridges which the County maintains and recently paid to repair. In some cases, school buses cannot travel on sections of road due to flooding caused by Cowpen Creek.

Supervisor Bill Russell asked Mayor Latimer if anyone had talked to Horn Lake Creek Drainage District. Mayor Latimer said Horn Lake Creek gave \$86,000 for south of Nail Road. He said they need additional help to clean it out and maintain.

Mr. Swims said the bridge is being replaced and now is a good time to clean out the creek. Mayor Latimer said they have already cleaned out sections. He said Valleybrook is ready and waiting for a bid date; Meadowbrook is waiting as well and for State Aid.

Supervisor Lee Caldwell said she talked to Assistant County Engineer Scott Young and flooding is being caused by beaver dams and snags in the creek. The bridges are vital to school buses and they cannot cross some of the bridges. It takes more time for them to take a different route.

Supervisor Russell asked if final figures were available on Hallum Estates. Mr. Swims said not yet; essentially the work is completed.

Supervisor Russell asked if it was under budget of \$200,000. Mr. Swims said yes, it is under \$100,000. Mr. Young confirmed the figure as well.

Supervisor Harvey Lee asked if the county can do in-kind work on Cowpen Creek. Supervisor Latimer said Mr. Swims has looked at it. He said they are using their new machine to clean it out and the machine does an amazing job.

After determining a finding of fact that drainage issues at Cowpen Creek are adversely affecting the health, safety and welfare of the citizens of DeSoto County in accordance with Mississippi

code section 19-5-92; that Cowpen Creek flows into bridges maintained by the county, Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve assisting the City of Horn Lake with work on a section of Cowpen Creek approximately three quarters of a mile in length; for the Road Manager to come back to the Board after determining the final costs; for the funding to be provided from and funds allocated to, but not spent on, the Hallum Estates project or petty cash.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>NO</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 Harvey Lee, Fifth District	<u>YES</u>

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve hiring the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to draft an Interlocal agreement for the Cowpen Creek project to be approved by the Attorney General.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>NO</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 Harvey Lee, Fifth District	<u>YES</u>

Mayor Latimer thanked the Board of Supervisors for assistance on the Cowpen Creek project.

2. 10:30 a.m. – Tax Exemptions: Patterson Warehouse

Jim Flanagan of the DeSoto Economic Development Council introduced Scott Vanderburg of Patterson Warehouse. Mr. Flanagan said they have two locations; one in Horn Lake and one in Southaven. He said they are seeking a Freeport warehouse tax exemption. Mr. Flanagan said that Mr. Vanderburg is from DeSoto County and welcomed him to speak to the Board.

Mr. Vanderburg said Patterson Warehouse has been in the mid-south for over 100 years. He said 80-90% of their employees are from DeSoto County.

Supervisor Mark Gardner thanked Mr. Vanderburg for providing jobs for DeSoto County residents.

Supervisor Lee Caldwell asked Mr. Vanderburg if he has used the WinJob Center to hire employees. Mr. Vanderburg said he has not needed to. He said that word of mouth has provided good employees for them. Supervisor Caldwell urged Mr. Vanderburg to use the Center if the need arises. Mr. Vanderburg said he would definitely use them.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve a Freeport tax exemption for the maximum period of time allowed, to Patterson Warehouse located in Horn Lake and Southaven in DeSoto County.

The motion passed by a vote as follows:

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

See Exhibit H.3

3. Environmental Services: Household Hazardous Waste Day

Environmental Services Manager Ray Laughter presented an update on the Household Hazardous waste day held on October 12, 2013. Mr. Laughter said it was a great event and they had an excellent turn out. Mr. Laughter read the following statement of gratitude and requested it be part of the Board minutes:

HOUSEHOLD HAZARDOUS WASTE DAY 2013

I would like to express my sincere gratitude to this Board for helping make our annual DeSoto County Household Hazardous Waste Day an overwhelming success!

The citizens of DeSoto County displayed why DeSoto County and all its Municipalities are looked at as an environmental flagship for the State of Mississippi. Five hundred and thirty three vehicles showed up throughout the day to properly dispose of and recycle chemicals, tires, electronics, and exchange gas cans. This was the largest turn out in the history of the event.

When the lines were long and the rain was pouring down, the volunteers never slacked up. They continued working as though the rain never came. It's a true testament to the quality and dedication of the representatives of all Municipalities.

A large number of participating citizens expressed their gratitude for the environmental stewardship displayed by all parties associated with the event.

Again, thank you to this Board for the vision to provide this wonderful service to our community. We saw first-hand what true Environmental Heroes looks like. We look forward to working together with you on future community service events.

I would like to personally thank:

Mayor Patti Denison-Walls
Mayor Scott Phillips-Olive Branch
Mayor Chip Johnson-Hernando
Mayor Darren Musselwhite-Southaven
Mayor Allen Latimer-Horn Lake
Sheriff Bill Rasco
Mr. Andy Swims, Road Department
Mr. Tony Martin, Facilities Director
Mr. Matt Hanks, GIS
Mrs. Pat McLeod, Administration
Cassie Smith, Click Magazine
Todd Mastry, Landers Center
Craig Howell-Environmental Services
Mariano Rios- Environmental Services
Gia Matheny-Administration
Robin Lambert- Administration
Jeannie Colvin- Administration
Scott Trapolino-GIS
Steve Poteete-Facilities
Ricky McNeil-Facilities
Jackie Cleveland-Road dept
Emerson Massey-Road Dept
Stan Rochelle-Road Dept
Deputy Jerry Craig and the Trustees
Marion Mcleod-Volunteer
Tish Clark-ABC Local 24
Robert Long- DeSoto Times Tribune
Henry Bailey-DeSoto Appeal
Stan Carroll-Desoto Appeal
Kelley Lackey-92.9 FM
Garry Parrish 92.9 FM
Rik Mcneil-95.3 The Rebel
Drake and Zeke- 98.1 FM
David Smock-Contractors Supply

Southaven Fire Department

Sincerely,
Ray Laughter

Mr. Laughter thanked Mr. David Smock of Olive Branch for donating all of the protective gear.

Mr. Laughter presented the total vehicles counted at the event for the last six years as follows:

Year	Total
2013	533
2012	455
2011	350
2010	444
2009	219
2008	439

Supervisor Lee Caldwell said there was a great turn out and they had a lot of volunteers.

Supervisor Mark Gardner thanked the Southaven Fire Department.

County Administrator Vanessa Lynchard said that Ray does an exceptional job. He has a positive and can do attitude. Mr. Laughter has always done a fabulous job and continues to do a great job for the county.

Ms. Lynchard said people were lined up around the curve and were donating in the rain. There was a 15-20 minute wait with no complaints. It is a joy to work with the people of DeSoto County. She said the supervisors also worked this event to bring success.

Mr. Laughter said this is one of the best events we have had and thanked everyone again.

Supervisor Caldwell said it was a very well organized event.

Mr. Laughter said they hope to start providing shredding next year and will look at other services as well.

Supervisor Gardner asked if shredding will be provided at Earth day. Mr. Laughter said yes they are working toward a shredding service.

4. Recycling Conference: October 28 – 30, 2013

Supervisor Bill Russell said they Board received a letter regarding attending the Recycling Conference on October 28-30. Supervisor Russell said that the success of the Household Hazardous Waste Day demonstrates that people are interested in recycling as well. He said he would like to see a Household Hazardous Waste Day possible every two months.

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to approve travel for County Administrator Vanessa Lynchard, Supervisor Jessie Medlin, Supervisor Bill Russell and Environmental Services Manager Ray Laughter, to attend the Recycling Conference being held at Bay St. Louis on October 28-30, 2013.

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 Harvey Lee, Fifth District	<u>YES</u>

5. Sheriff's Department: Amend Contract with Dr. Ken Thompson

Sheriff Bill Rasco said it is time to renew the contract with Dr. Ken Thompson for medical

services at the Jail. Sheriff Rasco said that Dr. Thompson has done an outstanding job in addition to saving money for the county. Sheriff Rasco recommended renewing the contract and amending it with a salary increase.

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 on the contract with Dr. Ken Thompson for providing medical services at the Jail.

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 Harvey Lee, Fifth District	<u>YES</u>

6. Office of Finance and Accounting

a. Inventory Dispositions – Preliminary: IT Department

Inventory Control Clerk Char McCool presented a preliminary disposition for the IT Department.

Supervisor Bill Russell asked if we could see if the schools could possibly use this equipment.

Supervisor Lee Caldwell said DeSoto Industries also has a need for equipment.

Supervisor Jessie Medlin said someone should be able to get some use from the equipment.

County Administrator Vanessa Lynchard said they would check to see if someone could use the equipment.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve the preliminary disposition for the IT Department and fully described in Exhibit H.6.a.

The motion passed by a vote as follows:

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

See Exhibit H.6.a

b. Grants Administration: Grant Application Approval for EMSOF FY14

Grants Administrator Melissa Zizmann this grant application is for the purchase of CPR devices and paramedic and cardiac equipment for the EMS Department. Ms. Zizmann said no match is required and the amount is \$22,954.

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve applying for the EMSOF FY14 grant for the purchase of CPR devices and paramedic and cardiac equipment for the EMS Department in the amount of \$22,954, and to authorize the Board President to sign the documents. No match is required nor is other financial obligation required.

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 Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.6.b

c. Claims Docket

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

Supervisor Jessie Medlin asked about the claim on page 73 for Siemens. He asked Facilities Management Director Tony Martin if everything was working properly at the chiller plant and the buildings that the chillers supply heat and air to. Mr. Martin said yes. He said the bills were held for eight months to make sure everything worked properly. Mr. Martin said they will still be on site through the winter to make adjustments. He said we now need flags for air quality.

County Administrator Vanessa Lynchard said MDEQ supplied the first set of flags but some of the veterans did not want them under the U.S. Flag. Ms. Lynchard said the flags will be flown under the state flags only. Ms. Lynchard said the flags will be flown at the Administration Building and the Courthouse. She said that Justice Court would be added when we have the staff. The cities will furnish their own flags.

Supervisor Bill Russell asked about the claim on page 27. Grants Administrator Melissa Zizmann said the Youth Court Coordinator for Judge Celeste Wilson, Gabe Lee does this mentoring trip for the youth. It is paid from the Community Foundation. Supervisor Russell said the press should be notified when the opportunities come along.

Supervisor Mark Gardner asked the following questions:

Page 5 – SouthGroup - Mr. Arnold said this is for insurance for both new buildings.

Page 5 – Travelers – Mr. Arnold said this claim is for ongoing legal fees up to the deductible.

Page 17 – Metroline – Mr. Arnold said this claim is for 4 mobile printers and 2 chargers for IT. Supervisor Jessie Medlin said the Sheriff bought refurbished replacements. If he had bought new ones it would have cost \$700 each. The equipment is required for the e-Citations.

Page 52 – Donna’s Run for a Remedy – Mr. Arnold said all of these claims are for refunds.

Page 54 – Administrative Office of the Courts – Mr. Arnold said this is for rental Storage.

Ms. Lynchard said the district reimburses the county for their share.

Page 73 – Siemens Industry – Ms. Lynchard said it is due in December, 2012, but held as a result of ongoing warranty issues. Mr. Martin said everything has been resolved.

Pages 79 & 80 – Mr. Arnold said that is the grand total for that fund for facilities projects. Some of the amounts are for architect fees.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Chief Financial Officer in the total amount of \$1,313,312.43 and deleting the claim on page 1.

The motion passed by a vote as follows:

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

7. Supervisor Lee Caldwell

a. I-69 Coalition Funding Request

Supervisor Lee Caldwell said the county has funded this coalition in the amount of \$8,000 annually. Supervisor Caldwell said this has been a twenty year process and I-69 would not be in our state without the Coalition. She said several other states are represented as well. Supervisor Caldwell said that dues are determined by population numbers.

Supervisor Jessie Medlin said the reason we got this is because we stepped up and got the bond. Supervisor Medlin said he wondered if any other counties stepped up.

Supervisor Caldwell said she did not know where the other counties stand.

Supervisor Mark Gardner asked if others contribute \$8,000. County Administrator Vanessa Lynchard said it is based on population.

Supervisor Caldwell said she was skeptical at first, but then she attended the meeting and learned more about it.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve fund \$8,000 to the I-69 Coalition for membership dues.

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 Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.7.a

b. MAS Trip to Vicksburg – Update

Supervisor Lee Caldwell said they had a good trip to the MAS Convention in Vicksburg. She said they attended the Pre-Legislative meeting for the county that had presented Sluggo Davis to the Legislature. Supervisor Caldwell said other items presented were as follows:

- 1) Homeowners Associations
- 2) Insurance pool for worker’s compensation and the possible savings
- 3) 811 excavating
- 4) BCAP grant
- 5) Working with PDD’s to bring out issues
- 6) Benefits card for county employees to make certain purchases and receive perks/rewards
- 7) Group purchasing

Supervisor Jessie Medlin asked about NACo.

Ms. Lynchard said it was on the claims docket for dues. He asked if it is a coast to coast program.

Supervisor Caldwell said there is a plan that covers vision, vets and dental.

Ms. Lynchard said it is very competitive.

c. Transportation: CMAQ Grant

Supervisor Harvey Lee said this grant is for funding roads. He said it is determined by population. The cities can join the county or join single. Supervisor Lee said he would like to see Commerce Street included.

Supervisor Jessie Medlin said he would like Hwy 305 included because of the exits.

The Board of Supervisors discussed other roads that may benefit from this grant.

Supervisor Lee Caldwell said it is 100% funding and the deadline is November 24th.

Planning Director Ted Garrod said the most important aspect is that it is 100% funded and no match.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve applying for the CMAQ Grant with the cities.

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 Harvey Lee, Fifth District	<u>YES</u>

8. Board Attorney: Recreational District

a. Approval of Additional Park

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve adding Nesbit Community Park as “Project” to the Operations of the DeSoto County Recreational District.

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 Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.8.a

b. Request for Attorney General’s Opinion regarding the Sale of Sponsorship Signage

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to seek an attorney general’s opinion regarding the sale of sponsorship signage for the DeSoto County Parks.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>NO</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 Harvey Lee, Fifth District	<u>YES</u>

9. County Administrator

a. Request for AAA Vendor Services Bid Extension and request for Board Attorney to draft revised agreement

County Administrator Vanessa Lynchard said we have not gotten bids for this service in quite some time. It is very hard to for people to meet our specifications. She said the contract is for one year with a right to renew and does not include the Sheriff’s Office. Ms. Lynchard requested approval for the Board Attorney to work on the new contract.

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to work on drafting the agreement for AAA Vendor Services consistent with the bid specifications.

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 Harvey Lee, Fifth District	<u>YES</u>

b. Impact Missions Request for Additional Funding

County Administrator Vanessa Lynchard said that Impact Missions presented a funding request to pay for funding incurred through the end of September.

No action was taken on this item.

I. PLANNING COMMISSION AGENDA

DeSoto County Board of Supervisors Planning Agenda October 21, 2013 11:00 a.m.

I. NEW BUSINESS

A. CONSENT (Minor Lot Subdivisions):

- 1. Schopp Minor Lot (6900) – Application is for final subdivision approval of one (1) lot of 2.0 acres, one (1) lot of 5.92 acres and one (1) lot of 9.08 acres, identified as Parcel #4-08-5-16-03-0-00002-00 and Parcel #4-08-5-16-00-0-00014-00. Subject property is located on the south side of Wheeler Road and west of Airport Road in Section 16, Township 4, Range 8 and is zoned Agricultural (A). (District 5)**
- 2. Trent Ross Minor Lot (6901) – Application is for final subdivision approval of one (1) lot of 2.56 acres, one (1) lot of 2.23 acres, one (1) lot of 2.48 acres and one (1) lot of 2.45 acres, identified as Parcel #3-06-8-27-00-0-00003-00. Subject property is located on the south side of Holly Springs Road and east of Treadway Road in Section 27, Township 3, Range 6 and is zoned Agricultural (A). (District 5)**
- 3. Rowland Minor Lot (6902) – Application is for final subdivision approval of one (1) lot of 4 acres, identified as Parcel #2-07-4-20-00-0-00017-00. Subject property is located on the east side of Swinnea Road and north of Bankston Road in Section 20, Township 2, Range 7 and is zoned Agricultural-Residential (A-R). (District 5)**
- 4. Harrell Minor Lot (6903) – Application is for final subdivision approval of one (1) lot of 1.36 acres, identified as Parcel #3-07-2-03-00-0-00017-00. Subject property is located on the west side of Malone Road and south of Byhalia Road in Section 3, Township 3, Range 7 and is zoned Agricultural (A). (District 5)**

Mr. Haysley presented the Consent agenda and stated approval was recommended by the Planning Commission for all consent items.

Supervisor Lee asked how long the easement is on the Schopp Minor Lot. Mr. Haysley explained the easement is an existing easement. There was discussion of the proximity of a house to the easement.

Supervisor Caldwell asked how the Rowland Minor Lot will be affected if Swinnea Road is extended. Mr. Haysley explained that the lot being subdivided is located on a section of Swinnea Road that already exists.

Supervisor Lee made a Motion to approve the Consent Agenda. Supervisor Caldwell 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>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

B. FINAL SUBDIVISION

- 1. Bakersfield Subdivision, Section C (6894) – Application is for final subdivision approval of thirty (30) lots, identified as Parcel #2-07-7-26-00-0-00002-00 and Parcel #2-07-7-26-00-0-00001-00. Subject property is located on the west side of Laughter Road and south of Pleasant Hill Drive in Section 26, Township 2, Range 7 and is zoned R -20. (District 5)**

Mr. Haysley presented the Bakersfield Subdivision, Section C application for final subdivision approval of thirty (30) lots and stated approval was recommended by the Planning Commission with recommendations included in the staff report to include: 10 foot side setback on the following lots: 59-66, 68, 76-78 and; that Bakersfield Dr. should retain the same name throughout the subdivision and; that the street names on the Final Plat be amended to conform to the Preliminary Plat prior to recording

Supervisor Medlin stated Mr. Barry Bridgforth said the roads are 29 feet wide where located in Sections A and B of Bakersfield Subdivision. This is to allow for a 5 foot bicycle/walking lane. This exceeds the required 24 feet and he will continue the 29 feet roads in Section C.

Supervisor Russell asked if the reduced side setbacks on the lots listed in the application is to allow for side loading garages. Mr. Haysley confirmed the reduced setback is to allow for side loading garages.

Supervisor Lee made a Motion to approve Bakersfield Subdivision, Section C conditioned upon the staff recommendations include 10 foot side setback on the following lots: 59-66, 68, 76-78 and; Bakersfield Dr. should retain the same name throughout the subdivision and; the street names on the Final Plat be amended to conform to the Preliminary Plat prior to recording. Supervisor Medlin 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>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

C. OTHER ITEMS

- 1. Accessory Dwelling Unit Variance - Order granting exception to County regulations regarding additions to single-family dwellings for purpose of extended family living quarters (Mother-in-law Wings) for Lot 7 Forrest Hill Subdivision**

Mr. Haysley presented the request for the Accessory Dwelling Unit Variance by Darlene Clements. He stated the Planning staff has drafted an Order for the Board of Supervisors to consider to include the accessory dwelling will only be for Darlene Clements use, shall only have one

electrical service for the primary home and the accessory dwelling, and will only be 40% of the square footage of the primary structure.

Supervisor Medlin asked if public notice was sent to neighbors that this item would be heard by the Board of Adjustment. Mr. Haysley stated notice was given in case the request was sent to the Board of Adjustment for the Variance consideration. Supervisor Medlin asked if staff received any calls concerning this matter. Mr. Haysley stated staff did receive one call concerning where the proposed location of the accessory dwelling would be and the caller stated they understood that due to the topography of the lot would necessitate the structure be further back on the lot.

Supervisor Medlin asked if this request is for one time Variance for this particular applicant and each Variance request for other mother in law additions will be heard on an individual basis. Mr. Ted Garrod stated this request is for this particular applicant, but that staff hopes the Board of Supervisors will consider amending the current Board Order and including it in the Zoning Ordinance.

Supervisor Medlin stated he is concerned that there will be complaints about two dwellings being on a lot. He then asked if the Board Order is amended will there need to be public notice. Mr. Tony Nowak advised that public notice would need to be given if changing the Zoning Ordinance but was not necessary to grant a Variance from the current order.

There was discussion that changing the Zoning Code would need to be heard at a later date.

Supervisor Medlin stated he still would like to know why the mother in law wing can't be attached to the primary structure. Mr. Garrod stated that after talking to the applicant, she would like to have it separate from the primary structure to maintain some independence.

Supervisor Medlin made a Motion to table the request for the Accessory Dwelling Unit Variance by Darlene Clements until the November 4, 2013. Supervisor Russell 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>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

2. Design Standards Variance – Railroad Ave. Disposal

Mr. Haysley presented the request for Design Standards Variance by Railroad Ave. Disposal for full exemption from the Design Standards Ordinance. He stated the proposed building is approximately 500 feet from Highway 178.

Supervisor Gardner asked what kind of standards they are requesting a Variance from. Mr. Haysley stated they are requesting a Variance from the requirement of a brick façade, landscaping and a paved parking lot. Supervisor Russell stated as far as it is from the road he does not feel the building will be seen.

Supervisor Medlin asked if the proposed building will be located behind the existing office. Mr. David Green with Railroad Avenue Disposal confirmed that it will be located behind the existing office. Supervisor Medlin then asked if the proposed building will be used for maintenance of trucks and equipment at the site. Mr. Green confirmed it will be used for maintenance.

Supervisor Gardner asked if there will be electricity and plumbing in the proposed building. Mr. Green confirmed that there will be both electricity and plumbing in the proposed building. Supervisor Medlin made a Motion to approve the request for Design Standards Variance by Railroad Ave. Disposal for full exemption from the Design Standards Ordinance. Supervisor Russell 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>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

3. Flood Protection Ordinance - Request to authorize Board Attorney to amend Flood Protection Ordinance based on new FIRM Panels

Mr. Garrod presented a request to allow the Board attorney to work with Planning staff on updating the current Flood Ordinance.

Supervisor Russell made a Motion to approve the request to allow the Board attorney to work with Planning staff on updating the current Flood Ordinance. Supervisor Medlin 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>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

II. PUBLIC HEARING

A. Rezoning Amendment: Eastbrooke Planned Development Rezoning (724) - Application is for approval of Rezoning of property from R-30, Agricultural (A), and Agricultural-Residential (A-R) to Planned Unit Development (PUD), identified as Parcel #3-06-3-05-00-0-00024-00, Parcel #3-06-3-05-00-0-00014-00 and Parcel #3-06-3-05-00-0-00015-00. Subject property is located on the north side of Vaiden Road and east of Craft Road in Section 05, Township 3, Range 6 and is zoned R-30, Agricultural (A), and Agricultural-Residential (A-R). (District 5)

Supervisor Caldwell made a Motion to open a Public Hearing. Supervisor 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>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

Mr. Haysley introduced the item and stated the applicant has requested this item be continued until the November 18, 2013 Board of Supervisors meeting.

Supervisor Gardner asked if there was anyone present that wished to speak for or against this item at this time. There was no one who wished to comment on the rezoning. However, one member of the public was present for the matter and stated no objection to the continuance.

Supervisor Lee made a Motion to continue Eastbrooke Planned Development Rezoning (724) until the November 18, 2013 meeting of the Board of Supervisors. Supervisor Medlin 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>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>ABSTAINED</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

Supervisor Lee made a Motion to close a Public Hearing. Supervisor Medlin 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>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>ABSENT</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

J. EXECUTIVE SESSION

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

Supervisor Lee Caldwell made the motion to adjourn the Board meeting until November 4, 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>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

THIS the 21st of October, 2013, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Mark Gardner, President
DeSoto County Board of Supervisors