

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

**DISTRICT ONE JESSIE MEDLIN, PRESIDING**

**October 15, 2012**

**A. CALL TO ORDER**

The October 15, 2012 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie Medlin, 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

**B. INVOCATION**

Supervisor Lee Caldwell presented the invocation.

**C. PLEDGE OF ALLEGIANCE**

**D. CITIZEN REMARKS**

Supervisor Jessie Medlin asked if there was anyone present who wished to address the Board of Supervisors who was not already on the Agenda.

No one from the audience came forward.

**1. Resolution of Appreciation – Mr. Clarence Sparks, Appointee to the NWCC Board of Trustees**

Supervisor Lee Caldwell asked that this item be removed from the Agenda. The Sparks Family was unable to attend the meeting.

**2. Authorize Environmental Services Manager, Ray Laughter to sign purchase requisitions for Recreational District.**

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded to motion to authorize Ray Laughter to sign purchase requisitions for the 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>

**A. APPROVAL OF AGENDA AND DELETIONS**

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

- 1.) Supervisor Jessie Medlin requesting removing the budget amendment for the Wildlife Specialist.
- 2.) Supervisor Jessie Medlin asked that the hiring of the Environmental Services Specialist be removed from Executive Session. The candidate did not accept the position.
- 3. County Administrator Vanessa Lynchard requested adding the following:
  - a. Broadband Study Update
  - b. Crimestoppers
- 4.) Board Attorney Tony Nowak requested consideration for a possible item for Executive Session for consideration of appraisals for Hawks Crossing to Executive Session.
- 5.) Supervisor Bill Russell requested consideration for a possible item to add to Executive Session, for consideration of Personnel, Fleet Manager.
- 6.) Chief Financial Officer Tom Arnold requested adding a late bill for the Aviation Building.
- 7.) Supervisor Harvey Lee requested adding parking spaces around the Square to the Agenda.
- 8.) Chancery Clerk Sluggo Davis presented two additional items to be added as follows:
  - a. An additional allowance for approval on the Consent Agenda
  - b. A request for the Board of Supervisors to accept an Order approving Mississippi Department of Revenue to delete taxpayers from the DeSoto County Tax Homestead Rolls and the Board President to sign to order

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to approve the additions to the Agenda.

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.) Supervisor Jessie Medlin requesting removing the budget amendment for the Wildlife Specialist**

Supervisor Medlin said the candidate did not accept the position for Wildlife Specialist.

**2.) Supervisor Jessie Medlin asked that the hiring of the Environmental Services Specialist be removed from Executive Session – See Executive Session**

**3.) County Administrator Vanessa Lynchard requested adding the following:**

**a. Broadband Study Update**

Mrs. Lynchard said the Broadband Survey is going very well. She said getting the information to the churches was a little slower than anticipated and requested extending the time to November 30th., 2012 and email sent to all users. She said that in addition to the information regarding lack of service, they are requesting information on poor service, costs and good service as well. Supervisor Lee Caldwell asked if the new County phone number was listed on the survey. Vanessa said although the old number is listed, it is rolling over to the new number.

Supervisor Caldwell said door to door is the best way to get the word out. Supervisor Bill Russell suggested printing the survey in the newspapers. Supervisor Caldwell said the survey was printed once in the newspaper and said the media had done an outstanding job of helping publicize the survey. Supervisor Russell asked the reporter for the DeSoto Times Tribune, Rob Long, if they could print it again. Mr. Long said yes.

Supervisor Caldwell said the surveys could be in county stores and other gathering locations to help reach the public.

Mrs. Lynchard said she could not say enough about how reporters Rob Long and Henry Bailey have been so helpful in getting the information to the public and the County appreciates their efforts.

**b. Crimestoppers**

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to appoint Sheriff Bill Rasco, Board Attorney Tony Nowak, and Supervisor Mark Gardner, to be on committee, to meet with a representative from the State and Local Agency of the Crimestoppers Program.

The motion passed by a vote as follows:

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

**4.) Board Attorney Tony Nowak requested consideration for a possible item for Executive Session for consideration of appraisals for Hawks Crossing to Executive Session**

See Executive Session - Property Acquisitions, Hawks Crossing

**5.) Supervisor Bill Russell requested consideration for a possible item to add to Executive Session, for consideration of Personnel, Fleet Manager**

This item was determined to be heard in Open Session as follows.

Road Manager Andy Swims said they have been reviewing the possibility of a Fleet Manager for the County.

County Administrator Vanessa Lynchard said a couple of years ago oil changes were outsourced and a lot of people did not use it. Mrs. Lynchard said it needs to be formalized so that everyone is doing the same thing. She said in talking to Mr. Swims, fleet management may be incorporated into the Road Department fleet management system. He said they could use the same software and it gives very good information.

Supervisor Bill Russell asked if the system tracks oil changes and maintenance. Mr. Swims said yes. He said they have one employee who takes care of it now but may need to add staff.

Sheriff Bill Rasco said their program fleet management program tracks oil changes flat tires and other repairs.

Supervisor Mark Gardner suggested appointing someone to keep up with fleet management and then decide who can do the fleet repair and service work.

Supervisor Lee Caldwell said she likes the idea of fleet management and also the fleet manager could recommend when the vehicle needs to be replaced.

Mr. Swims said he did not know if contracting with Jiffy Lube or a similar entity would save money. Mrs. Lynchard said when the County was on that program, the employees did not use it.

Supervisor Jessie Medlin recommended having Mrs. Lynchard work with Mr. Swims on fleet management.

Sheriff Rasco said he would work with them as well.

Mr. Swims said they would meet to discuss fleet management and come back to the Board with a recommendation.

**6.) Chief Financial Officer Tom Arnold requested adding a late bill for the Aviation Building**

Mr. Arnold presented a late bill for the lease of property at 2805 Railroad Avenue, Building #2, Hernando, MS, in the amount of \$18,000 for the DeSoto County Sheriff’s Aviation Unit. He said the contract expired October, 1, 2012, and it is being renewed under the same terms.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the lease agreement with South Central Development, LLC, for the lease of property at 2805 Railroad Avenue, Building #2, Hernando, MS, in the amount of \$18,000 for the DeSoto County Sheriff’s Aviation Unit under the same terms for a period of one year.

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 Harvey Lee requested adding parking spaces around the Square to the Agenda**

Supervisor Harvey Lee said he was speaking with a store owner on Commerce Street and was asked to have employees not park their vehicles in front of their stores. Supervisor Lee asked everyone to please speak to employees regarding parking their vehicles elsewhere.

Chancery Clerk Sluggo Davis said a lot of vehicles that park in front of the stores are there for a court appearance.

County Administrator Vanessa Lynchard said she would send an email to inform everyone.

**8.) Chancery Clerk Sluggo Davis presented two additional items to be added as follows:**

**a. An additional allowance for approval on the Consent Agenda**

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve adding an allowance for the Chancery Clerk in the amount of \$1,916.66.

The motion passed by a vote as follows:

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

**See Exhibit E.8.a**

**b. A request for the Board of Supervisors to accept an Order approving Mississippi Department of Revenue to delete taxpayers from the DeSoto County Tax Homestead Rolls and the Board President to sign the order**

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to accept and approve an order from the Mississippi Department of Revenue to delete taxpayers from the DeSoto County Tax Homestead Rolls and the Board President to sign the order.

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.8.b

**F. CONSENT AGENDA**

The Board of Supervisors considered the items presented on the Consent Agenda as listed.

Supervisor Mark Gardner asked about the Procurement Card Log expense for software for survey.

It Director John Mitchell said the software was needed to post the Broadband Survey on the web site and is software than could be used for other purposes.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve the Consent Agenda items as follows:

**1. Office of Finance & Accounting**

**a. Budget Amendments** – Including removal of the amendment for the Wildlife Environmental Specialist - Detailed in Exhibit F

**b. Grants Administration: Authorize Board President to Sign Fraud Compliance Form for Homeland Security Grant FY12**

**c. Fixed Assets Final Balances for 2011-2012 Fiscal Year**

DESOTO COUNTY, MISSISSIPPI				
FIXED ASSETS FINAL BALANCES FOR 2011-2012 FISCAL YEAR				
	October 1, 2011			September 30, 2012
	Balance	Additions	Deletions	Balance
Mobile Equipment	\$17,652,852.22	\$946,375.21	\$926,331.46	\$17,672,895.97
Furniture and Equipment	\$9,756,855.74	\$499,616.10	\$205,460.38	\$10,051,011.46
Land	\$3,567,270.22			\$3,567,270.22
Buildings	\$43,426,013.96	\$786,164.03	\$57,822.95	\$44,154,355.04
Other	\$769,550.08	\$4,742.00		\$774,292.08
Construction in Progress	\$3,683,061.98	\$16,782,574.20	\$1,029,292.29	\$19,436,343.89
Infrastructure	\$144,116,592.22	\$2,388,739.06		\$146,505,331.28
	<b>\$222,972,196.42</b>	<b>\$21,408,210.60</b>	<b>\$2,218,907.08</b>	<b>\$242,161,499.94</b>

**2. DeSoto County Administration Safety Report**

**3. EMS Approval to Acquire Surplus Property**

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

**a. DeSoto County Multi-Jurisdictional Hazard Mitigation Plan Update**

**b. Agreement with Impact Missions**

**c. Order Designating Persons to Make Emergency Purchases**

**d. Clinical Affiliation Agreement between Northwest Mississippi Community College and the DeSoto County Emergency Medical Service**

**5. Office of Procurement – Procurement Card Log**

**6. Department of Road Management: Monthly Safety Officers Report**

**7. Chancery Clerk Allowance - \$1,350.00**

The motion to approve the Consent Agenda as listed 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. State Aid Engineer: Johnston Road Bridge Repairs Bid Award and Authorization of Board President to Execute the Contract**

State Aid Engineer Tracy Huffman said as a result of the bid opening for the Johnston Road Bridge repairs, one bid was received and it is from Lamb Construction in Hernando, MS in the amount of \$192,583.00 and the budgeted amount is \$216,000. Mr. Huffman recommended approving the bid from Lamb Construction and to authorize the Board President to execute the contract upon receipt required bonds and proof of insurance from the Contractor.

Supervisor Mark Gardner asked why there was only one bid. Mr. Huffman said this is not the kind of work that just everyone wants to do or is qualified to do. He said it is the nature of the work and the time of year.

Supervisor Gardner asked how long it would take to do the work. Mr. Huffman said the contract is for 45 days and they are hopeful that it will take 30 days.

The Supervisors discussed the area and the roads that would be blocked for a period of time. Supervisor Lee Caldwell expressed concern that school buses would need to be rerouted and hoped that it would not take a long time to complete the repairs.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve accepting the bid from Lamb Construction in the amount of \$192,583.00, and to authorize the Board President to execute the contract upon receipt of the required bonds and proof of insurance from the Contractor.

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>

**See Exhibit G.1**

**2. House of Grace Parking Lot Improvements**

Assistant County Engineer Scott Young said the Board had previously discussed repairing the parking lot at the House of Grace. Mr. Young said the County can prepare the entire driveway and Lehman Roberts can do the overlay for a total of \$8,477.92. Upon completion, they will request funds be transferred from the General Fund to the Road Fund.

Supervisor Mark Gardner said there is a real problem with erosion on the driveway. Mr. Young said there is a lot of loose gravel, holes in the driveway and grass growing.

Board Attorney Tony Nowak advised the Board that the County perform this in-kind service for the House of Grace due to the nature of the organization as a domestic violence shelter.

Supervisor Jessie Medlin asked if limestone would be used and Mr. Young said yes.

Supervisor Gardner said the House of Grace provides a great service for the community and they certainly need help with the repairs of the driveway. The Board did cut their budget 5% this year.

Supervisor Medlin asked if the County already has a contract with Lehman Roberts. Mr. Young said yes, and it is cheaper to do this project under the contract.

Supervisor Medlin said he certainly did not mind helping the House of Grace.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve option 2 as follows:

<b>House of Grace Parking Lot Improvements Estimate</b>							
<b>Option 2: Pave entire site less the fenced in area of the backyard</b>							
Asphalt	9700	SF	.5	88.9	TONS	\$ 72.00	\$ 6,473.13
Prep work by County crews		LS					\$ 450.00
Sub Total							\$ 6,923.13
Cont							\$ 692.31
<b>Total Estimate</b>							<b>\$ 7,615.45</b>

And to assist House of Grace with repairing the parking lot with in-kind work in the amount of \$7,615.00, and to amend the budget for the Road Department.

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

**3. Public Information Officer**

Supervisor Mark Gardner said he is not ready to move on hiring a Public Information Officer for the Board of Supervisors at this point. Supervisor Gardner said the interviews were conducted under the former County Administrator Michael Garriga along with the Human Resources Director Janna Rogers. He reminded the Board that they agreed to have the new County Administrator be involved in the final interviews since that position reports and works closely with the County Administrator. He said he would like for the new County Administrator Vanessa Lynchard to rescreen applicants and have an opportunity to get feedback from her.

Supervisor Gardner said that in talking with Supervisor Lee Caldwell, he thinks that the title, Public Information Officer, is not appropriate for the job description. He said the position would foster internal and external communication but not a lot of public information. Supervisor Gardner said Supervisor Caldwell suggested renaming to Communications Officer.

Supervisor Bill Russell said he was opposed to adding this position from the start. Supervisor Russell said he would like to read the following statement and establish it as part of the formal record and enter into the Board's Minutes:

I would like to ask the Board to reconsider its decision to hire a Public Information Officer. Aside from the fact that I have perceived and been inundated with an overwhelming negative public perception of the position and its role in our county government, I **personally** believe that this is simply big government at its worst.

This comes at a time of a stagnant economy, 5% budget cuts, layoffs, overwhelming infrastructure needs

such as jail expansions, overcrowded and inefficient courts, fire stations and equipment, EMS desperately needing to expand and relocate, road and bridge infrastructure commitments that have been **made** and now **have** to be paid for, and many other financial concerns that we all share.

I have found it impossible to explain to my constituents why this Board feels that it must pay, **with their tax dollars**, someone else to **speak** for the county on matters that we were elected to manage. All of our meetings are open to the public. All of our meetings are covered by the press who has always done a good job of encouraging us to explain our positions and then printing it. I can't imagine anyone more proficient than our past and **especially** our present Administrator at media relations and keeping the public informed of our logic and intent. I am extremely proud and honored to be a part of the current and past Boards I have served on. You have all been open, honest, honorable and energetic about meeting with the press and public at any time to talk about any issue.

This is simply **tax dollars, our constituent's hard earned money**, that could be spent for a more useful purpose. It's the wrong thing to do and definitely sends the wrong message to the public.

Supervisor Lee Caldwell thanked Supervisor Russell and said she wanted to investigate the position further.

Supervisor Russell reiterated that the Public Information Officer title bothers him. He said if we need to hire more staff to support the Board then that is what needs to be done but he does not want anyone else speaking for him.

Supervisor Caldwell said the past few weeks she has requested information on different topics and someone is needed to gather the information and understand the information. Supervisor Caldwell said she too wants to speak for herself but with the knowledge that is needed.

Supervisor Gardner said he appreciates that as well. He never wanted anyone to speak for the Board. He said when he needed information he called Mr. Garriga to pull information for him and he would get the information for him. Now he calls Vanessa Lynchard and the information is pulled right of way also. When this Board was elected, Mr. Garriga did a good job of "Supervisor Boot camp 101" and we met with Department Heads. One of the issues that came from those meetings was the obvious breakdown in communication. He said the Supervisors can speak for themselves.

Supervisor Gardner said when he was running for office, he learned that there were a lot of taxpayers who did not understand the role or County government or the Supervisors. He said they are more knowledgeable about how the city government and aldermen affect them. He said he would like to redefine that.

Supervisor Gardner said there was a lot of work done on firearms in parks and greenways and the Supervisors received a lot of calls from the NRA, citizens and other organizations because the information was not provided to the public early or clearly enough. Supervisor Gardner said we did not get the message out there very well.

Supervisor Gardner said he would like for Vanessa Lynchard and Janna Rogers to look at the position and redefine the job description and then revisit it in the next two to three months.

Supervisor Jessie Medlin said part of his problem the entire time was that he thought it needed to be researched and talked about more.

Supervisor Russell said it does need to be talked about more but he is not convinced that hiring someone is the solution.

No motions were made nor votes taken on the issue.

#### **4. Stateline Road Overlay Reimbursement**

Board Attorney Tony Nowak said this work was done on Stateline Road and the money was funneled through DeSoto County which is consistent with the original proposal with DeSoto County, the City of Olive Branch and Shelby County for asphalt resurfacing on Stateline Road in Olive Branch. He said the work is completed and the money needs to be transferred.

Deputy Carl Hurt thanked the Board of Supervisors and said the improvement is much appreciated.

Deputy Hurt said he lives in that area.

At the recommendation of Board Attorney Tony Nowak, Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve paying Shelby County \$116,255.67 as invoiced this being consistent with the original proposal and as further described in Exhibit G.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 G.4**

**H. NEW BUSINESS**

**1. Public Hearing: 10:00 a.m. Greenways and Parks – Discharge of Firearm and / or other weapons**

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to open the Public Hearing regarding Greenways and Parks – Discharge of Firearms and / or other weapons.

Board President Jessie Medlin stated that Board Attorney Tony Nowak’s partner Jody Neyman, who serves as legal counsel for the Board, would be serving as Board Attorney for this portion of the meeting and asked Mr. Neyman to discuss the ordinance. At Supervisor Medlin’s request Mr. Neyman addressed the public and stated that due to numerous complaints of firearms being discharged in the County Parks and that there is no state statute governing the illegal discharge of firearms in County Parks, the Board decided to consider adopting an ordinance governing the illegal discharge of firearms in County Parks. Mr. Neyman then stated that since the Board is pro 2<sup>nd</sup> Amendment and it did not want to do anything that would infringe on the rights of the public with respect to their rights to defend themselves and prohibit conceal carry permit holders from lawfully carrying firearms, the original draft included language specifically protecting the right to allow concealed carry permit holders to carry their firearms in accordance with State Law. The proposed ordinance was submitted to the public for public comment.

Mr. Neyman then stated that the Board appointed Supervisor Mark Gardner and Supervisor Harvey Lee to seek public input regarding the proposed ordinance. Mr. Neyman then stated that Supervisor Gardner is a gun owner and hunter and has been certified as a hunter safety course instructor by the Mississippi Department of Wildlife Fisheries and Parks. Mr. Neyman then stated that Supervisor Lee is also a gun owner and a hunter.

Mr. Neyman said that the Board subcommittee asked him to meet with them and various organizations to get input on the ordinance. Mr. Neyman stated that the subcommittee met with the Sheriff’s Department, the NRA, the DeSoto Rifle and Pistol club and other DeSoto County citizens to get input about the ordinance. Mr. Neyman stated that the Sheriff’s department had received several reports at Bass Landing which is now named Hernando DeSoto Park about the illegal discharge of firearms. Mr. Neyman stated that the Sheriff’s Department reported that there is evidence that there is a lot of shooting taking place and the Sheriff’s Department has difficulty preventing it. Currently, there is no recourse because there is no state law in place regarding the discharge of firearms in a county park. He said the purpose of the ordinance is to prevent the discharge of weapons on County Parks and Greenways and to give the Sheriff’s Department authority to address the situation when it does occur. Presently the only recourse the Department would have would be to charge someone with disturbance of the peace and that it is difficult to prove in rural areas.

Supervisor Gardner then stated that he is pro 2<sup>nd</sup> Amendment, and that he does not want to prevent people from bearing arms. Supervisor Gardner said that after receiving input from the public and the NRA the subcommittee decided to prepare an amended ordinance that only contained language pertaining to the discharge of firearms, and not address the issue of concealed carry permits because that is a matter regulated by State law. Mr. Gardner then presented the proposed revised ordinance and advised the public that the new ordinance was approved by the NRA. Mr. Gardner stated that they had received an email approving the newly revised ordinance and stated that he wished to read it into the record.

Mr. Gardner read this email into the record as follows:

“I apologize that I won't be able to attend Monday's meeting in-person. Feel free to state that NRA supports the proposed revisions as included in the attached draft, and that those revisions address the concerns our organization had with the ordinance's impact on Second Amendment rights. Thank you, again, for allowing us to work with you on this and please feel free to contact me this coming week if further work needs to be done on the measure.

Sincerely,

Tara Mica

National Rifle Association-Institute for Legislative Action”

Supervisor Gardner then asked Mr. Neyman to discuss the concealed carry law. Mr. Neyman then stated that there is a discrepancy between the statute (Miss Code Section 45-9-101) and what the Department of Public Safety requires of concealed carry permit holders to carry concealed firearms in parks. Mr. Neyman stated that under Mississippi law, in order for concealed carry permit holders to carry a firearm in certain places such as public buildings and restaurants where alcohol is served, a concealed carry permit must receive an enhanced carry endorsement, which requires the permit holder to take an eight hour firearm safety class. Mr. Neyman stated that Miss Code Section 45-9-101 originally required an enhancement to carry a firearm in a public park, but the statute was recently amended and that requirement was removed. Mr. Neyman stated that after investigating the issue, the Department of Public Safety advised him that based upon an AG opinion to the Sheriff of Lee County that it is of the position that a concealed carry permit holder must receive an enhanced endorsement to carry a firearm on a county park. Mr. Neyman stated that due to this discrepancy the sub-committee decided to exclude the concealed carry language because it is an issue of State law which the legislature or the Court will have to resolve.

Mr. Neyman then asked if anyone from the audience wanted to address the Board of Supervisors regarding the proposed ordinance. The following citizens came forward:

Mr. Clyde Gentry, Bridgetown – Mr. Gentry asked how many areas report problems?

Supervisor Gardner said Bass Landing prompted this Greenway Program and is the real issue. He said the Board has just started working to combine parks and greenways in the County and they want to make sure that everyone is safe and there is no shooting in those areas. He said there was a no shooting sign that was shot up that brought this to their attention.

Mr. Gentry suggested signs and videos in the problem areas. He said an enhanced permit cost \$75 to \$100 extra on top of the regular gun permit. He said there were a lot of laws in place that should be enforced.

Supervisor Gardner said the enhanced restriction has been removed and it is a matter of State law and the people that are here today are not the problem.

Joey Lynn, 4445 Nesbit Road – Mr. Lynn said 45-9-51 is the state law. He said that statute 45-9-53 addresses the discharge of firearms in parks. He asked if greenways could be defined better.

In response to Mr. Lynn's question, Mr. Neyman said Section 1 defines Park/Greenways as any area managed by the County for public recreational purposes which would include, but is not limited to, parks, bike trails, walking spaces, nature preserves, playgrounds, picnic areas, lakes and ponds maintained and established by DeSoto County for the purpose of recreation for its citizens.

Supervisor Gardner said they tried to capture and better define it for the purpose of recreation.

Supervisor Lee Caldwell asked Mr. Lynn if his question was answered clearly. Mr. Lynn said yes.

Ross Ose, 3455 Robertson Gin Road – Mr. Ose said Public Safety is the driving issue. He said he is a hunter, gun owner and a member of the DeSoto Rifle & Pistol Club and a member of the local NRA. Mr. Ose said he applauded the Board of Supervisors for undertaking this challenge and it is a very emotional issue. Mr. Ose asked how it could be a public safety issue if there is no one in the area. He also asked how many matters of public nuisance in the parks have been an issue and how many incidents have there been in the last ten years.

Supervisor Lee Caldwell said there have been none because we are just now creating the Recreational District and Greenways and this is a new issue. Supervisor Jessie Medlin said we haven't had greenways or parks before.

Mr. Ose said he has two problems with the ordinance. He said that Section 1 says Firearms and he said this should be revised to include bows and cross bows. The Section 3 Page 1, regarding being attacked by a rabid animal. Mr. Ose asked the last time someone has been attacked by a rabid animal or a coyote.

County Administrator Vanessa Lynchard said there have been no incidents of someone being bitten by a rabid animal.

Supervisor Gardner said the Board took an oath to uphold the Constitution and they are obligated to protect and serve. We did not have greenways in the past and we now must protect people who use greenways and parks.

The Board of Supervisors further discussed the wording in the ordinance. Supervisor Bill Russell stated that he had no problem about removing any reference to animals, and adding and defining cross bows and bows and other weapons as being prohibited.

James Ridings, 5900 Alexandria, Southaven – Mr. Ridings said he is a member of the DeSoto Rifle and Pistol Club. He said a couple of years ago a young man was killed in W. Memphis because he was carrying an air soft pistol. The young man had painted the orange tip the color of the gun and the officers mistook it for a real gun. Mr. Ridings discussed all air soft guns, air rifles and pistols as well as calibers and velocities of these guns, and stated they needed to also be included because the air pistols that are shot with compressed gas should also be included.

Mr. Ose said that Mr. Ridings had a valid point. Any projectile, including a paintball gun and canned or compressed air guns can be fatal. He said those need to be considered in the ordinance as well.

Mr. Buddy Malone, 4945 Getwell Rd. – Mr. Malone said that for years Hernando has had Conger Park, the Boy Scouts property and other parks and there have been no problems. He said we are losing too many rights in DeSoto County for people telling what they can and cannot do on their own property. Mr. Malone said he and his wife use to ride their 4-wheeler and now they cannot do that.

Supervisor Gardner said he disagreed with Mr. Malone. He said the Boy Scouts Park is actually owned by the Boys Scouts of America and it is Camp Currier. Conger Park is a city park. Mr. Gardner then showed a map of the parks in DeSoto County and said the County is receiving a lot of donated land for park use and the Board needs to have an ordinance in place to take care of people who want to use the parks.

Mr. Malone said his property joins land that will be used for greenways. He said the Board is addressing something that state law prohibits. He said he shoots skeet in his backyard. Supervisor

Gardner asked Mr. Neyman if a landowner discharges a firearm on their property that adjoins County Parks or Greenways would they be violating the ordinance. Mr. Neyman stated that that would not be a violation because the ordinance only covers those instances when someone knowingly and intentionally discharges a firearm on or across a county park or greenway.

Supervisor Gardner said they are not trying to legislate common sense. He said responsible gun owners know what is safe and when it is safe. He said you have to know what is beyond where you shoot. Supervisor Gardner said the issue is people who are not responsible and the Sheriff needs authority to deal with them. The cities have certain laws for their parks.

Mr. Ed Jordan, 7165 Hickory Estates – Mr. Jordan said he is familiar with Bass Landing. He asked if there could be an ordinance just for Bass Landing.

Supervisor Russell said the problem is not just at Bass Landing. He said the entire public has to be kept safe. He said he picked up over 100 shotgun shells in the road. The Board has to protect the general public. Supervisor Russell said if you shoot in a backyard and if you knowingly shot across a greenway that is a violation. He said the Sheriff sends officers out 2-3 times a night.

Sheriff Rasco then said anytime they respond to a call, it is taking officers away from other situations, but they will do whatever it takes to protect the citizens of DeSoto County.

Supervisor Gardner said they have made a lot of progress and he appreciated the comments from the citizens. He said he is for less government like everyone else, but he is also going to enforce laws for parks and greenways. This is brand new to everyone. The County has received generous donations of land from DeSoto County citizens and it is exciting to develop it for public use and keeping people safe.

Mr. Jordan asked if getting Park Rangers would be a possibility. Supervisor Gardner said you cannot have Park Rangers at Bass Landing because it is run by the Levee Board.

Mr. Nolan Kelly, 4013 Holly Springs Road – Mr. Kelly said he concerned about knowing where greenways are and if they are marked sufficiently.

Supervisor Medlin said all of the greenways are still in process. Supervisor Gardner said the information would be on the County web site. Mr. Kelly said he is very concerned about signage marking the areas. Supervisor Medlin said the signs would be posted to mark the parks and greenways.

Mr. Russell Osborne, Walls – Mr. Osborne said they are talking about the public safety and he wanted to know if that means it would be opened to the public.

Supervisor Medlin said people from other areas and visitors are allowed on the greenways as well.

Mr. Osborne said he and his wife both ride scooters at Bass Landing and they have seen bullet casings. He said there are people who are from south of the border and he is tired of them being crammed down his throat. He said some are illegal and some are not. He said the laws are not being enforced and they keep adding laws but the illegal situation needs to be addressed. They are out at night making noise and leaving trash and nothing is done about it.

Supervisor Medlin said the Sheriff's Department understands there are illegal alien issues but the Federal law prevents the County from addressing that issue.

Mr. Ose asked if someone intentionally knowingly fires a weapon and the projectile goes across a greenway or park, do normal firearms & weapons rules apply.

Mr. Neyman said the way the ordinance is worded for someone to be prosecuted there has to be specific intent, but if a State law also governs the ordinance would be superseded, so normal firearms & weapons rules would apply.

Mr. Kelly said if an animal comes on his property, he needs to be able to protect his family. He suggested the entire animal clause not be thrown out.

Supervisor Russell stated that if the language was changed to state “Persons who discharge a Firearm in a lawful use of force in the course of protecting themselves and the safety of others” that it would exempt persons who protect themselves from criminals and wild animals and that in his opinion the animal clause would not be necessary. Mr. Russell then stated that he has an enhanced endorsement and recommends everyone who has a concealed carry permit take the class to get the enhanced endorsement because it is very helpful.

Mr. Lynn asked how many calls the Sheriff gets for people who are target practicing. Sheriff Rasco said at least one call a day. He said he has no authority to do anything to anyone shooting firearms on their own property.

Supervisor Gardner said there were 10 shots into homes last year. He then stated that he wished everyone would use common sense, if that happened we would not need to legislate matters such as this.

Supervisor Russell said the key word is knowingly. Mr. Osborne said that is not as clean as you might want it.

Mr. Neyman said the language says intentionally, which means a person is, *trying* to shoot across or onto a greenway.

Supervisor Medlin recommended revising the ordinance based on the comments taken and meet with the NRA and their attorneys and come back to the Board of Supervisors.

Mr. Neyman said once the ordinance is amended, it will be published again on the County web site for viewing before the Board votes on the proposed ordinance.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to continue the public hearing to Monday, November 19, 2012, at 9:00 a.m. and authorize the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to work with the NRA legal counsel to rewrite the proposed firearms/weapons ordinance for parks and greenways based upon the public’s comments and suggestions and post it on the County web site for the public’s review and continued.

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>

Mr. Neyman said Section 1. – Definitions would be amended to include:

1. Firearm – Rifle of any caliber, air rifle and air pistol, compressed gas projectile of any caliber in excess of 300 feet per second, shotgun of any gauge, pistol or revolver of any caliber, crossbows for hunting and archery equipment.

Section 3 would be revised as described in the amended exhibit presented by Mr. Neyman during the Board Meeting.

Supervisor Russell said the Board received really good input on the enhanced carry permit. He would like to get the word out that this permit is essential. This permit is for protection and you can carry a weapon almost anywhere. The permit cost is \$75 and he would like to encourage everyone to carry that permit.

**See Exhibit H.1**

**2. Siemens Energy Project – Report and Final Acceptance**

County Administrator Vanessa Lynchard said the County entered into a contract for the energy efficient

project in 2010. She said Siemens is ready to call it complete and turn it over to the County. Vanessa said Siemens is here today to discuss the project and talk about specifics of the contract.

Mr. John Ferguson of Siemens said he is the Engineering Development Planner and has been totally involved with this project from the ground up. He said construction is one piece of the project and it is complete and Siemens is ready to turn it over to the County.

Mr. Ferguson said there was a \$1 million layered funding grant through the Department of Energy and the State of Mississippi. He said the project has been in process for three years and it was completed on September 30, 2012. Mr. Ferguson said he is here today to authorize a delegate to sign off on the Construction Phase. It is time to end the Construction Phase and begin measuring the Guarantee Phase. By the end of the year, the project will enter the guarantee process.

Mr. Ferguson said not all County buildings qualify for energy savings. He showed before and after pictures of the more substantial buildings: the existing Jail, Courthouse and the Administration Building. He said HVAC has been removed from all 3 buildings and they are being cooled by the new chiller plant installed by Siemens. Mr. Ferguson said he is really proud to be associated with the County Administration Building as the first existing building to be "Green Certified" in the state of Mississippi. The County is recognized as the Leader in Implementing Best Practices.

Mr. Ferguson said the County should see a one year savings of \$317,000 which represents \$294,000 in engineering and \$23,000 in maintenance. He said the savings will vary according to yearly weather.

Supervisor Bill Russell asked if the cost savings is an arbitrary number

Mr. Ferguson said it is based on kilowatt hours and the electric rates. The usage will need to be monitored.

Supervisor Mark Gardner asked if the chiller plant goes down due to electrical outage is there a backup generator or is the entire building down.

Mr. Ferguson said a total loss of power will eliminate the chiller.

Supervisor Gardner asked Facilities Director Tony Martin if there is a backup plan for a power outage. Mr. Martin said he and his Supervisor Shawn Houston are in the process of setting up a backup for a power outage. He said there is a program in place now that will show if there is a power outage and they have been trained and are using the program.

Supervisor Mark Gardner asked if the lines are fiber optic lines for the telephone system. IT Director John Mitchell said it is a schedule 40 pipe for all three buildings.

Supervisor Gardner asked that they make sure the County lines are in the city utility system so it can be identified.

Mrs. Lynchard asked if the line that recently blew out was covered under warranty and length of the warranty. Mr. Ferguson said the term is for one year and includes material and labor. Mrs. Lynchard confirmed that after the one year, repairs would be at the cost of the County and Mr. Ferguson said yes.

Mrs. Lynchard asked if there is a program available to monitor and maintain cost savings. Mr. Ferguson said no.

Supervisor Harvey Lee said we will have to look back at 2005 and then look at years going forward and start the comparison to what the cost will be.

Mrs. Lynchard said starting January 1, 2013, IT and Facilities Management will start measuring the cost. We may need to set up a way to monitor the system measuring the same things as Siemens.

Chancery Clerk Sluggo Davis said they still have the same problem with temperature that they have always had. Mr. Martin said that problem has now been corrected.

Supervisor Bill Russell asked if a maintenance contract is needed if kilowatt hours are the only guarantee.

Mrs. Lynchard said as equipment gets older we will need a maintenance agreement.

Supervisor Russell said he is not sure he agrees since it is based on kilowatt hours.

Board Attorney Tony Nowak said the guarantee is on kilowatt hours not dollars saved. Maintenance is part of the cost savings and is an ongoing service which helps to guarantee the savings.

Mrs. Lynchard asked Mr. Ferguson if the closeout on the repair of the pipe has been done with the City of Hernando.

Mr. Martin said the work has to settle for two weeks before the city can replace the pavement

Supervisor Gardner suggested a walk thru of the jail and inspect before final approval of the project.

Mr. Ferguson said they would like the final approval by the end of the month of October.

Supervisor Gardner invited the media to come along for the walk thru.

The Board discussed the walk thru of the chiller plan and set the date of Monday, October 22, 2012 at 9:00 a.m.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to approve postponing acceptance of the project and signing off on the Construction Phase of the Siemens Energy Project until the visual inspection of the chiller plant and the issues with the City of Hernando are satisfied.

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>

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to appoint Supervisor Harvey Lee and Supervisor Mark Gardner to the committee to inspect the chiller plant.

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>

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to reconsider the committee to inspect the chiller plant and to appoint Supervisor Jessie Medlin and Supervisor Lee Caldwell to the committee to inspect the chiller plant on Monday, October 22, 2012, at 9 a.m.

The motion passed by a vote as follows:

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

**3. Office of Procurement**

**a. Purchases Exceeding \$25,000 – New Jail Live Scan Booking System**

Procurement Clerk Sheila Morris presented two quotes for a Live Scan Booking System for the New Jail. Ms. Morris said L-1 Identity Solutions is cheaper at a total cost of \$29,904 and the quote from AFIX is \$35,000. She said this purchase exceeds \$25,000 and requested the Board’s consideration for approval.

Clyde Gunther from the Sheriff’s Department explained that one system needed to be replaced and they will eventually need a new one for the new Jail.

Supervisor Jessie Medlin asked if this system is different than the one currently in use. He asked if it would save money to buy one now and one later.

Supervisor Medlin asked if the money is in the budget.

Sheriff Rasco said they will purchase one now and replace the other one later.

County Administrator Vanessa Lynchard said this item did not qualify as a sole source.

Supervisor Harvey Lee made the motion and Supervisor Bill Russell seconded the motion to approve the purchase of one Live Scan Booking System for the New Jail from L-1 Identity Solutions in the amount of \$29,904.00.

The motion passed by a vote as follows:

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

**See Exhibit H.3.a.**

**b. Emergency Repair at Courthouse**

County Administrator Vanessa Lynchard informed the Board of Supervisors regarding the condition of the windows at the Courthouse. Mrs. Lynchard said the contractor noticed frames around the windows had deteriorated. The Historical Society was notified and they said birds may have flown into the windows and knocked the panes out and the windows were chipped and loose. Mrs. Lynchard said they have already installed scaffolding for repairs and roped off the area. The cost will be \$5,000 to \$10,000 and does not follow the definition of an emergency purchase.

No action was necessary on this item.

**c. Procurement Policy for Uniforms**

County Administrator Vanessa Lynchard said she sent out a proposed policy for uniforms to the County departments. All orders for uniforms have been stopped with the exception of the Sheriff’s Department, Facilities Management, and the Road Department.

Mrs. Lynchard said the bid had expired for uniforms at Facilities Management and this is a good time to move forward with the new policy. She read Section D and E of the proposed policy as follows:

D. Uniforms for departments/employees shall be limited to shirts only unless a complete uniform is necessary for the department to accomplish their work. Complete uniform requests, except for Facilities Management, Emergency Services, Animal Services and the Department of Road Management, must be approved by the Board of Supervisors. In no event may an employee under one of the aforementioned departments in Item D, whose main job does not meet the guidelines in Item A or B.

E. The county uniform policy shall apply to any department or portion of department funded through

the county budget approve by the Board of Supervisors. This policy does not cover offices under the direct supervision of an elected official.

Supervisor Mark Gardner said this is a very good policy.

Supervisor Lee Caldwell recommended forwarding it to the elected officials.

Board Attorney Tony Nowak said once the Board sets the budget for elected officials, they have the authority to spend the funds on equipment, uniforms and the like in their discretion and would not have to follow the policy.

IT Director John Mitchell said the former County Administrator requested he purchase shirts for his employees when he first came to work for the county. Mr. Mitchell said his employees do crawl under desks and it helps identify them when they are off of the premises.

The Board discussed the use and costs of employee badges that are used for each employee. Mrs. Lynchard said there is a cost associated for the employee badges and the badges are turned in every year and renewed.

Supervisor Bill Russell asked if the Board needed to review other departments. Supervisor Jessie Medlin confirmed that employees got uniforms because they crawl under equipment.

At the recommendation of the County Administrator, Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve the Procurement Policy for Uniforms as fully described in Exhibit H.3.c.

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>NO</u>

**See Exhibit H.3.c**

**4. Office of Finance and Accounting - Supplemental Claims Docket**

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

Supervisor Jessie Medlin asked about the claim on page 7 with Siemens. Mr. Arnold said this is for upgrading the fire alarm system at the existing jail.

Supervisor Mark Gardner asked about the claim on page 6 to Hilton Body Shop for toilet maintenance. Mr. Arnold said port-a-johns were donated to the County for the public to have bathroom access during the Viet Nam Wall Memorial Event held recently. The Road Department had to pick them up to take them to the location and during the transfer, the toilets fell from the truck onto a vehicle.

Supervisor Gardner asked about the claim to Butler Snow on page 11. M. Arnold said it is for No-Attainment Air Quality. This claim is for \$10,000 but the agreement is not to exceed a total of \$25,000.

Supervisor Gardner asked about the claim on page 12 to Monroe Pointer Management Company for utilities. Mr. Arnold said it is part of a contract with the Health Department and is a pro-rated share. Supervisor Gardner asked about the claim paid to Next Step Innovation, LLC . IT Director John Mitchell said it is for yearly maintenance on hardware in the computer room.

Supervisor Gardner asked about pages 67 and 68 to the Peoples Bank of Biloxi. Mr. Arnold said it is for annual administration fees for handling of county bonds.

Board Attorney Tony Nowak said once the bond documents are approved, a Trustee is appointed.

Supervisor Gardner said on page 66 there is a claim to Pickering. He asked if it is for Holly Springs Road and did Wagoner hand this off to Pickering. Mr. Swims confirmed that it was for work on Holly Springs Road and it is a State Aid Road. Mr. Swims said Pickering has always handled Holly Springs Road.

Supervisor Gardner asked about the claim on page 72 for the I-69 Corridor. Mr. Arnold said some of it was grant money. Supervisor Medlin said some was County funds.

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

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. IT Department: Telephone System Update**

IT Director John Mitchell updated on the Board of Supervisors on the transition of the new phone system in the county.

County Administrator asked how they plan to get a list of the new numbers to the public. Mr. Mitchell said all web sites have been changed and AT&T has an intercept message that tells the caller the new number. If someone calls the old number, they get the new number. There is never a time the caller cannot reach someone or a message.

Supervisor Jessie Medlin asked if we asked to keep old phone numbers. Mr. Mitchell said yes, and they asked the preference from different departments. He said the old numbers could roll over for 10 to 15 years.

Supervisor Medlin asked if the newspapers could publish the new listings. IT Specialist Mary Jane Thaxton said the Commercial Appeal published it this weekend.

Supervisor Bill Russell asked if the changes could be highlighted when the new list is sent. Mr. Mitchell said they are sending new phone lists as each department is phased into the new system and they can definitely highlight the changes.

**6. Authorize Allocation to Nesbit Fire Department**

Board Attorney Tony Nowak said the Board of Supervisors voted to allocate \$120,000 for work at the Nesbit Fire Department but did not authorize him to draft a contract for the County’s use of the Nesbit Fire Department facilities.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm, to draft the contract with Nesbit Fire Department and to allocate funds and write the check upon approval of the contract.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>ABSENT</u>

Supervisor Lee Caldwell, Fourth District  
Supervisor Harvey Lee, Fifth District

YES  
YES

See Exhibit H.6

**7. Board Attorney**

**a. Interlocal Agreement with Town of Walls for Road Maintenance (2013)**

Board Attorney Tony Nowak said the interlocal with the Town of Walls for the County to maintain their roads is set to expire January 1, 2013. Mr. Nowak said if the Board wants to continue the contract it will take 60-90 days to draft a new agreement and have it approved. Under the agreement the county does keep the Town’s road millage.

Supervisor Bill Russell recommended extending the contract with the Town of Walls for road maintenance.

Supervisor Jessie Medlin asked if the interlocal specified anything for paving roads for other cities. He said the county would have to do that for other cities. Mr. Nowak said the distinction is that the county keeps the millage from the Town of Walls but not the other cities.

Supervisor Russell said he would like to see the amount of money spent versus the millage funds kept and asked Road Manager Andy Swims to provide that information to the Board of Supervisors.

No motions were made nor votes taken on this matter.

**b. Recreational District – Authority to seek Attorney General Opinion**

Board Attorney said there is an old attorney general’s opinion regarding the Road Department using road equipment for matters not related to road maintenance. He said it states road departments can do some work without being reimbursed, but if it is extensive work, the Road Department should be reimbursed through the general fund. Mr. Nowak recommended seeking an Attorney General’s opinion to see how if the Road Department needs to be reimbursed from the general fund if it work on public parks.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to seek an Attorney General’s Opinion in connection with the County Road Department maintaining greenways and parks and specifics for reimbursement of funds for the work. 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>

**c. Approval to write Engineering Contracts for Recreational District**

Board Attorney Tony Nowak said there is a need for multiple engineering contracts to do on call work for the Recreation District. Mr. Nowak said it would be similar to how the Road Department uses multiple engineering contracts.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to approve hiring the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to draft a contract to allow the Recreational District to acquire multiple engineering contracts for on call work.

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. Contracts: RJ Young – Addendum for New Jail**

County Administrator Vanessa Lynchard said the Sheriff needs a copier at the New Jail. The current contract expires June, 2013. The new copier is \$250 per month which will increase the total fee from \$4160.57 to \$4,680.32.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve leasing an additional copier for the New Jail at \$250 per month with R.J. Young Company, Inc.

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>ABSENT</u>

See Exhibit H.8

**9. Department of Road Management**

**a. Application for Emergency Work – Spring Lakes Blvd**

Assistant County Engineer Scott Young said that Natural Resources Conservation Service (NRCS) has looked at several sites that were recently damaged by intense rainfall. Mr. Young said NRCS has determined significant erosion damage to a ditch alongside of Spring Lakes Blvd. He said the erosion is affecting the ditch and threatening homes and utilities nearby. The cost is \$28,290 and the County’s share is 25%. The County Engineering Department will handle the design and construction management in-house which will reduce the County’s cost to 15% or \$4,243.50.

Supervisor Jessie Medlin asked the exact location of the property. Mr. Young said it is between Pleasant Hill and Camp Creek. Supervisor Medlin asked if it would affect the roads. Mr. Young said no, it is in the backyard.

Mr. Young said he is presenting the application for the project and then they will come back with the approval from NRCS. He said approval is needed for the Board President to sign and submit the application for the work. Mr. Young said approval is also needed for the County Engineering Department to begin working with the Board Attorney to obtain easement to complete the work.

Supervisor Harvey Lee made the motion and Supervisor Bill Russell seconded the motion to approve applying for an application for NRCS Emergency Work Program to a ditch alongside Spring Lakes Blvd., the Board President to sign the application and to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to work with the Engineering Department to acquire easements.

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.9.a

**b. Hallum Estates – Road Flooding**

Road Manager Andy Swims presented pictures of the roads being flooded in Hallum Estates. This problem was first brought to the Board in 2010 and at that time it was approved to work off the right of way to clean the ditches and a small levee. He said the problem has reoccurred. Mr. Swims said he would like to fix it to prevent this from happening again and in order to do so a drainage study will

be needed to determine the best and most cost effective option to eliminate the flooding.

Mr. Swims said Horn Lake Creek Drainage District has been made aware of the problem and the District has approved \$15,000 to go towards working with Jones-Davis Engineering Consultants to determine a solution to the problem.

Supervisor Mark Gardner asked when the pictures were taken. Mr. Swims said 2010.

Mr. Swims said the drainage study costs would be \$35,000 - \$40,000. He said he had put \$89,000 in the budget to cover the first phase of this project.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to authorize partnering with the Horn Lake Creek Drainage District, to retain Jones Davis to perform a drainage study, with the County’s portion not to exceed \$25,000 and for the total study cost not to exceed \$40,000.

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>

**See Exhibit H.9.b**

**c. Finding of Fact: 10354 Sandbourne Cross, Braybourne Subdivision**

Road Manager Andy Swims presented information regarding damages to private property associated with drainage and erosion, affecting the health, safety and welfare of the public located at 10354 Sandbourne Cross, Braybourne Subdivision. Mr. Swims said this is the same type of issue we have had throughout Braybourne subdivision with the culvert separation.

Supervisor Mark Gardner said the holes need to be secured. Mr. Swims said the holes are secured but the pictures do not show it.

At the recommendation of the Road Manager, Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to declare the damages caused by drainage and erosion on the property located at, 10354 Sandbourne Cross, Braybourne Subdivision, a health, safety and welfare issue to the citizens of DeSoto County as outlined in Mississippi code section 19-5-92.1 and to repair the damages at an estimated cost of \$3,699.00.

The motion passed by a vote as follows:

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

**See Exhibit H.9.c.**

**d. Floodplain 101 Schedule Request**

Road Manager Andy Swims said the Floodplain 101 Seminar for the Board of Supervisors has been rescheduled due to the Hurricane. He said Stacey Ricks with MEMA will be available either the weeks of January 28 and February 1.

The Board of Supervisors agreed to meet with Stacey Ricks with MEMA for Floodplain 101 Seminar on January 28, 2012, from 8 a.m. to 12 pm.

**I. PLANNING COMMISSION AGENDA**

**DeSoto County Board of Supervisors  
Planning Agenda  
October 15, 2012  
11:00 a.m.**

**Old Business**

Supervisor Medlin made a Motion to open a Public Hearing. 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>ABSENT</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>ABSENT</u>

**Appeal**

**The DeSoto County Board of Supervisors will consider an appeal by Mr. Morris Casey to overturn the action of the Board of Adjustment and deny the application for a Conditional Use for Phyllis Brown (1442) to allow a second mobile home to be installed due to a legitimate hardship under Article V, Paragraph 2, Section C (11), Page 27 of the DeSoto County Zoning Ordinance. Subject property is at 6112 Honeysuckle Lane, on the east side of Honeysuckle Lane and north of Nail Road West in Section 35, Township 1, Range 9 and is zoned Agricultural-Residential (A-R). (District 3) Staff has received a written request from an affected party asking that the Appeal be continued to the October 15, 2012 meeting of the Board of Supervisors.**

Mr. Garrod stated the applicant, Ms. Phyllis Brown, has provided a written request to withdraw the Conditional Use.

Supervisor Medlin made a Motion to close a Public Hearing and dismiss the appeal based upon the applicant’s letter withdrawing the conditional use application. 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>ABSENT</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>ABSENT</u>

**Public Hearing**

**Rezoning Amendment**

**Pat Earnheart Rezoning (719) – Application is for approval of an amendment to a Rezoning (392) of property from Agricultural (A) to Neighborhood Commercial (C-1) to relocate the previously approved C-1 zoning of 5 acres out of approximately 160 acres, identified as 4346 Highway 304 West, to a proposed 5-acre parcel at the corner of Highway 304 West and Rising Sun Road. Subject property is located on the south side of Highway 304 West and east side of Rising Sun Road in Section 17, Township 3, Range 8 and is zoned Agricultural (A). (District 5)**

Mr. Garrod stated that the above application is for an approval of an amendment of the Rezoning of property from Neighborhood Commercial (C-1) to Agricultural. The property was previously Agricultural and the surrounding property remains Agricultural. He stated the applicant wishes to rezone the property to Agricultural in order to build a house on the 5-acre parcel. Mr. Brad Moberly was present to represent the application.

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

Supervisor Lee made a Motion to approve the Pat Earnhart Rezoning (719) to rezone 5-acres from Neighborhood Commercial (C-1) to Agricultural (A). 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>ABSENT</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>

Supervisor Medlin made a Motion to close a Public Hearing. 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>ABSENT</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>

**NEW BUSINESS**

**Minor Lots**

**Amber Acres Minor Lot (6851) – Application is for final subdivision approval of one (1) lot of 5 acres and one (1) lot of 155 acres out of 160 acres. Subject property is located on the south side of Highway 304 West and east of Rising Sun Road in Section 17, Township 3, Range 8 and is zoned Agricultural (A). (District 5)**

Mr. Garrod presented the application for Amber Acres Minor Lot for final subdivision approval of one (1) lot of 5 acres and one (1) lot of 155 acres out of 160 acres and stated it appears to be in compliance with the County’s Zoning and Subdivision Ordinances, subject to right-of-way dedication and Health Department approval. He noted that the Planning Commission voted unanimously to recommend approval of these applications.

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

Supervisor Lee made a Motion to approve the Amber Acres Minor Lot subject to required right-of-way dedication, if any, and Health Department approval. 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>ABSENT</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>

**Revision of Lot 1 Maxey Hollow Subdivision and Maxey 1 Lot Subdivision (6856) – Application is for final subdivision approval of one (1) lot of 1.45 acres and one (1) lot of 1.50 acres. Subject property is located on the north side of Vinson Road and east of Hwy 51 in Section 30, Township 3, Range 7 and is zoned Agricultural (A). (District 5)**

Mr. Garrod presented the application for Revision of Lot 1 Maxey Hollow Subdivision and Maxey 1 Lot Subdivision (6856) – Application is for final subdivision approval of one (1) lot of 1.45 acres and one (1) lot of 1.50 acres and stated it appears to be in compliance with the County’s Zoning and Subdivision Ordinances, subject to right-of-way dedication and Health Department approval. He noted that the Planning Commission voted unanimously to recommend approval of these applications.

Supervisor Lee asked how the owner of Maxey One Lot Subdivision will access their property. Mr. Garrod stated the owner of Maxey One Lot Subdivision will access their property by an existing easement.

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

Supervisor Lee made a Motion to approve the Revision of Lot 1 Maxey Hollow Subdivision and Maxey 1 Lot Subdivision subject to required right-of-way dedication, if any, and Health Department approval. 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>ABSENT</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>

**Other Items:**

**1. Follow-up – William McNeer Utility Easement Request**

Mr. Garrod stated Mr. McNeer has provided the land appraisal for the requested Utility Easement that states a fair market value for the land is \$190.

Supervisor Lee made a Motion to approve Mr. Tony Nowak, Board Attorney to draw up the appropriate easement whereby the County conveys to Mr. William McNeer a Utility Easement consistent with the size and scope set forth in the appraisal. 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>

**2. Environmental Services – DeSoto County Waste Management Comprehensive Plan**

Mr. Jim McNaughton, with Environmental Business Services, stated the proposal being presented is to work with the County to rewrite the County’s Waste Management Comprehensive Plan. He stated that by rewriting the plan it will hopefully over time save the County money, reduce roadside dumping and increase recycling.

Mr. Laughter stated at the beginning of August he received a request from MDEQ for an update on the goals stated in the current Comprehensive plan by February of 2013. He then stated that with all the changes in solid waste with regards to recycling and such, now maybe a good time to rewrite the County’s Waste Management Comprehensive Plan. He stated that the rewrite will benefit the County.

Supervisor Medlin asked how long the last plan was good for. Mr. McNaughton stated MDEQ asks for the County to update their plan every ten years. He went on to state that the County last updated their plan in 2006 and that with the Solid Waste contract up in 2015, now would be a good time to start working on updating the plan.

Supervisor Medlin stated he is concerned with the County spending \$60,000 every few years to update a plan and that he is not sure that we should update it at this time.

Mr. McNaughton stated that it is not a requirement for the County to rewrite the Waste Management Comprehensive Plan at this time.

Supervisor Russell asked what the cost difference between an update of the plan and a rewrite of the plan. Mr. McNaughton stated an update of the plan would cost approximately \$10,000 to \$15,000 and a rewrite of the plan would cost approximately \$60,000. He then stated that it is possible the County

would be eligible for a grant that will pay for \$30,000 of the rewriting of the plan. Supervisor Russell asked how long the rewrite of the plan be good for. Mr. McNaughton stated the rewrite would be good for approximately ten years.

Supervisor Russell asked if the Board could approve applying for the grant before approving to rewrite the plan. Mr. McNaughton stated the Board could apply for the grant first. Supervisor Medlin asked what the deadline is to apply for the grant. Mr. McNaughton stated the deadlines for the grant are April and October. He then stated there may still be funds not allocated for the October deadline that can be awarded, if not the County will have to wait until April to apply for the grant.

Mr. W.E. Davis asked if the rewrite at some point be required every year. Mr. Nowak stated the statute allows MDEQ to require a review of the plan every year and for the plan to be revised not more frequently than every five years.

Supervisor Russell made a Motion to approve Mr. Ray Laughter to apply for the grant to help with the funding of rewriting the DeSoto County Waste Management Comprehensive Plan and to schedule a meeting of the Solid Waste Committee. Supervisor Gardner seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>NO</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>

Supervisor Gardner made a Motion to approve to keep the members of the Solid Waste Committee intact. 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>

**3. Environmental Services – Household Hazardous Waste Day and Gas Can Exchange October 27, 2012 – 8 a.m. to 2 p.m.**

Mr. Laughter announced that the Household Hazardous Waste Day will be October 27, 2012 from 8:00 a.m. until 2:00 p.m. at the Landers Center. He stated this year the County received a grant from MDEQ to replace ASTM gas cans with ozone friendly gas cans for citizens who bring them to the Household Hazardous Waste Day. Supervisor Russell asked how someone will know if the gas can is ASTM or not. Mr. Laughter stated that the gas will have ASTM stamped on the can.

**J. EXECUTIVE SESSION**

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

**K. OTHER**

**1. Sheriff’s Department – Lieutenant Salaries**

Sheriff Bill Rasco said that his Lieutenants are the lowest paid in the surrounding area. He said their pay is \$21.63 per hour and he is requesting the pay be raised to \$24.83 per hour. Their current annual salary is \$44,990.40 and would increase to \$51,646.40 per year. Sheriff Rasco said the increase is not in

the budget and it equates to \$69,808.08 additional salary for ten Lieutenants. Sheriff Rasco said he only has one Captain. He wants to be able to keep good employees instead of them going to other areas.

Supervisor Bill Russell asked how Sheriff Rasco arrived at \$24.83 per hour. Sheriff Rasco said he researched the cities and wanted to pay higher than them in order to retain good employees and his are the best in DeSoto County.

Supervisor Lee Caldwell asked Sheriff Rasco to explain what we could do to come up with the money.

Sheriff Rasco said the money from the jail commissary goes into the county general fund as well as the money from the inmate phone. Sheriff Rasco said he would like to use that money for the pay raises.

Supervisor Jessie Medlin asked if it is legal to do that.

Board Attorney Tony Nowak said he is looking into that.

Supervisor Medlin asked if the Lieutenants take their patrol vehicle home. Supervisor Harvey Lee said they could get a call any time of the day or night. Sheriff Rasco said yes, they do take their vehicle home

Supervisor Bill Russell asked if they are paid overtime. Sheriff Rasco said yes.

Supervisor Lee Caldwell suggested looking into the options to see what can be done and come back to the Board in a couple of weeks.

County Administrator Vanessa Lynchard said we need to remember that it is a recurring cost.

Supervisor Lee said yes, but the next time it will be in the budget.

Supervisor Russell asked if the Sheriff did an across the board study.

Sheriff Rasco said yes. The study showed that there was a \$1,000 difference.

Supervisor Medlin asked the Sheriff if that was the area most out of line. Sheriff Rasco said yes. No action was taken on this item.

Supervisor Jessie Medlin made the motion to continue the Board meeting to inspect the chiller plant installed by Siemens Industries, Inc. until October 22, 2012 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 15<sup>th</sup> day of October, 2012, these minutes have been read and approved by the DeSoto County Board of Supervisors.

\_\_\_\_\_  
Jessie Medlin, President  
DeSoto County Board of Supervisors