

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

MARK GARDNER, PRESIDENT 2013 PRESIDING

September 16, 2013

A. CALL TO ORDER

The September 16, 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

B. INVOCATION

Supervisor Lee Caldwell presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. CITIZENS REMARKS & PRESENTATIONS

1. Resolution of Appreciation for Mr. Clinton Nichols – CVB District One

Supervisor Jessie Medlin said that Mr. Clinton Nichols served on the Convention and Visitors Bureau Board for District One for many years. Supervisor Medlin said Mr. Nichols and his family are here today for this honor.

Mrs. Clinton Nichols said it is a pleasure and an honor for Mr. Nichols to serve on the Board. He has many friends and staff at the Civic Center and Tourism Department. It is his first love and he will miss everyone; he will be back. Mrs. Nichols said it is a privilege to be here today.

Supervisor Medlin read the Resolution of Appreciation for Mr. Clinton Nichols as follows:

*Desoto County Board of Supervisors
Hernando, Mississippi*

Resolution of Gratitude

WHEREAS, Mr. Clinton Nichols was appointed by the Board of Supervisors as the District 1 Representative to the DeSoto County Convention and Visitors Bureau on January 16, 2002, serving until August 2013. During his term of service devoted many hours fulfilling the duties and responsibilities of the DeSoto County Convention and Visitors Bureau. His dedication to the work as the District 1 Representative to the DeSoto County Convention and Visitors Bureau during his term of service has been of great benefit to the citizens of DeSoto County and the Board of Supervisors desires to express its gratitude to Mr. Nichols for his term of service;

THEREFORE, BE IT RESOLVED BY THE DESOTO COUNTY BOARD OF SUPERVISORS AS FOLLOWS:

The DeSoto County the Board of Supervisors expresses its gratitude to Mr. Clinton Nichols for his service to the citizens of DeSoto County as the District One Representative to the DeSoto County Convention and Visitors Bureau. Clinton Nichols has earned a reputation as a success through his honesty, character, integrity, faith, love and loyalty. His selfless devotion to the DeSoto County Convention and Visitors Bureau and the many hours he spent fulfilling the duties and responsibilities of his District 1 appointment to the Board will cause him to be greatly missed by his peers. During his appointment to the CVB, Clinton Nichols provided wisdom and guidance in times of adversity. His character was obvious as he and his fellow Board members wisely used their appointment power on the CVB to shepherd the organization in a positive direction. Through their efforts, the citizens of DeSoto County have a convention center that is well organized and has an excellent staff and management.

The DeSoto County Board of Supervisors appreciates the willingness of Clinton Nichols to serve the citizens of DeSoto County through his District One appointment to the CVB. He will long be remembered as an outstanding CVB Board Member and an outstanding citizen of DeSoto County. With sincere thanks, the Board of Supervisors presents this Resolution of Appreciation to a great citizen of DeSoto County, Clinton Nichols.

2. Cockrum Civic Center

Ms. Ellen Haraway of the Cockrum Civic Center spoke to the Board of Supervisors regarding a grant from the Mississippi History and Archives. She said the application is due on September 27th and is \$500,000 over a five year period. They must have a \$20,000 match. She said they have no donors or contributors right now and they need a letter of support and certification to present with the grant.

Ms. Haraway said the building is the old Cockrum School and is a good way to bring the community together. She said it is need of repairs. The building has received Mississippi Landmark designation which means it is preserved in the historic state. Ms. Haraway said this is one of the few grants that can be received for actual brick and mortar for restoration. The School Building is one of five of the remaining ninety five schools that were built.

Supervisor Jessie Medlin said in a previous Board Meeting with the Civic Center, we discussed the county providing in-kind services. Supervisor Medlin said he thinks the county cannot provide those services.

Board Attorney Tony Nowak the county will not be able to provide any contributions or services at all even if the Cockrum Civic Center obtains 501(c)(3) designation. The County would need local and private legislation.

Ms. Haraway said the Board of Education titled the school building to the Cockrum Civic Center for activities and services in the community. She said they applied for the 501(c)(3) and that was almost a year ago.

Supervisor Bill Russell asked Ms. Haraway if they have looked into Parks and Recreation to see if funding is available. If it can be classified for public use, it may possibly be transferred to Parks and Recreation.

Mr. Nowak said because the property came through the school system, it must go back to the school system if it is abandoned.

Ms. Haraway said the Board of Education titled the school building to the Cockrum Civic Center for activities and services in the community. She said they applied for the 501C3 and that was almost a year ago.

Supervisor Bill Russell asked Ms. Haraway if they have looked into Parks and Recreation to see if funding is available. If it can be classified for public use, it may possibly be transferred to Parks and Recreation.

Mr. Nowak said because the building came through the school system, it must go back to the school system.

Ms. Haraway said Greenways has designated \$74,000 to put a Hub at the school house. The Hub is for bike trails, bike racks and a parking lot.

Supervisor Mark Gardner asked when is the next window of opportunity for a grant. Ms. Haraway said it would be next year.

Supervisor Russell Bill made the motion to authorize the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to draft local and private legislation and submit it to the legislators for authority for the County to make a financial donation.

Supervisor Lee Caldwell seconded the motion.

Supervisor Caldwell said they need the 501(c)(3) before the county can apply for the grant. She said she wanted them to know the county would like to help.

Ms. Haraway said she appreciated everything the Board has done.

Supervisor Medlin asked Mr. Nowak how Greenways can work on the property. Mr. Nowak said as far as he knew they were referencing the private entity known as Greenways and not the County Recreational District.

a local and private agreement to see if the building can become part of Parks and Recreation; get with the Board of Education and Greenways to see if the old Cockrum School can become part of the schools and if the county can participate.

Supervisor Lee Caldwell seconded the motion.

Supervisor Caldwell said they need the 5013C before the county can apply for the grant. She said she wanted them to know the county would like to help.

Ms. Haraway said she appreciated everything the Board has done.

Supervisor Medlin asked Mr. Nowak how Greenways can work on the property.

Mr. Nowak said as far as he knew, it is now our group.

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>

E. Approval of Agenda: Additions and Deletions

1. Addition to Citizens Remarks and Presentations by Ms. Harper of Hernando regarding developmentally challenged services in DeSoto County
2. Tax Collector Joey Treadway requested adding Results of the County Tax Sale
3. Environmental Services Manager Ray Laughter requested adding Household Hazardous Waste Day quotes
4. Road Manager Andy Swims requested adding the following:
 - a. New equipment purchases
 - b. Walls Fire Department Parking Lot

5. Board Attorney Tony Nowak requested adding the following:
 - a. Agreement with Verizon
 - b. Authorization to work with the City of Southaven Attorney regarding Southaven Water Tower Park – Verizon Access
 - c. Litigation: possible executive session discussion - Gates versus Barbour
 - d. Litigation: possible executive session discussion - Clyde Thompson
6. County Administrator, Vanessa Lynchard: Approval of FY 2014 Budget
7. Supervisor Lee Caldwell reminded everyone of two upcoming events:
 - a. Soiree this Friday at the DeSoto Arts Council: \$15 per person \$25 per couple, arts contest for the schools – Saturday is Open House with free admission from noon until 4:00 p.m.
 - b. Eagle Fest: Saturday, September 28th 10:00 a.m.

Supervisor Harvey Lee said the weather for Eagle Fest is going to be very nice. There will be Eagles and Birds of Prey and there will also be games.

8. Chancery Clerk Sluggo Davis requested approval for a late bill for a refund in the amount of \$214.73 for correction on an erroneous assessment at the new Jail property.
9. Sheriff Bill Rasco requested declaring horse stalls surplus on jail property.
10. Director of Administrative Services Pat McLeod requested adding an inventory disposition for the Road Department.
11. Grant Writer Melissa Zizmann requested adding the following:
 - a. Acceptance of MEMA Grant and Board President to Sign
 - b. Approval to Apply for Grant for playground resurfacing

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the additions to the Agenda 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. Addition to Citizens Remarks and Presentations by Ms. Kimberly Remak of Hernando regarding developmentally challenged services in DeSoto County

Ms. Kimberly Remak of Hernando appeared with her son John and thanked the Board of Supervisors for their time. She said she approached the Board about a year ago regarding services for disabled individuals. Ms. Remak said she spoke with Charlie Spearman with Region IV and they received a Medicare waiver to put a facility in Olive Branch. Ms. Remak said she is very proud to have their support. She said DeSoto County is one of the largest counties in the state. She said she spoke to Susan Keiser a few times and met with ARC of Mississippi. ARC wants to help promote independence for developmentally delayed individuals in our County. Currently, DeSoto County does not have a chapter of ARC. Ms. Remak said when you have thoughts about our society please think of her son John and his buddies.

Ms. Remak said she was his involved with developing a chapter of ARC in DeSoto County. She said the day program has 20 Medicaid slots. There were 5,000 students with disabilities last year in the DeSoto County Schools. She said one or two programs will not meet the needs of all the students that need help. She said that Autism is on the rise and we need programs to help them and hope that ARC can be a base for them.

Ms. Remak said that Mr. Spearman has helped with her sons need. She said the building in Olive Branch needs a lot of improvements. She encouraged the Board to visit DeSoto Industries to decide what we can do for these individuals. She said she did not want to burden DeSoto County but does want to move forward in a positive direction. Ms. Remak said she hopes more people can show more kindness to someone else and see to the needs of developmentally delayed persons. Ms. Remak said that Mr. Spearman suggested renting the building in Olive Branch. She said they are hoping that ARC will be the base for help.

Supervisor Lee Caldwell said Senator Harper is very interested in helping. She said there are many grant opportunities that could be pursued. Supervisor Caldwell said she could forward an email address to Ms. Remak of the key person in Washington. Ms. Remak said she has Senator Harper's address.

Supervisor Medlin said he met with Ms. Remak several months ago and she is a real go getter. He said she certainly enlightened him on this need and he did not know there were that many developmentally challenged children in DeSoto County that need help. Supervisor Medlin suggested that Ms. Remak talk to the County Grant Writer, Melissa Zizmann to pursue a grant for this important matter.

No motions were made nor votes taken on this item.

2. Tax Collector Joey Treadway requested adding Results of the County Tax Sale

Mr. Treadway said 3,261 parcels were sold at the tax sale. There was \$312,100 in excess bids which is the highest the county has ever had. Mr. Treadway said this is free money to the County. The total collected including excess bids is \$4,940,956.79.

Mr. Treadway commended his staff and said they did an awesome job.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to accept the DeSoto County Tax Sales Report and to make the results part of the minutes as follows:

Parcels sold	3,261
Excess Bids	\$312,100.00
Total Collected (includes excess bids)	\$4,940,956.79

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.2

3. Environmental Services Manager Ray Laughter requested adding Household Hazardous Waste Day quotes

Mr. Laughter said they are adding tire to the Household Hazardous Waste Day and the limit is five tires per citizen.

Supervisor Mark Gardner asked where tires can be taken today. Mr. Laughter said tires can be taken to the DeSoto County Rubbish Pit or the Road Department.

Mr. Laughter said they sent quotes to 13 vendors and got one response. He said that logistics was a problem for some of the vendors. The response is the same vendor we used last year.

Supervisor Jessie Medlin asked if there is a grant for the tire recycle program. Mr. Laughter said yes; it is the cost of the event.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the quote from Tradebe Treatment and Recycling, LLC for disposal for Household Hazardous Waste Day being held on October 12, 2013 at 10:00 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>

County Administrator Vanessa Lynchard said there was someone at the I-269 meeting and he asked that the county offer shredding of papers. The County will not be able to offer that service on that day but it will be offered on Earth Day. Ms. Lynchard said they are also exploring acceptance and disposal of syringes.

See Exhibit E.3

4. Road Manager Andy Swims requested adding the following

a. New equipment purchases

Mr. Swims said he wanted to clarify the size of trucks that they are purchasing. He said originally they told the Board they were buying two compact size trucks. Mr. Swims said they can now get two Ford F-150 6 cylinder pickup trucks cheaper and they get better gas mileage. These would be used for the mosquito sprayer. Mr. Swims said several thousand dollars could be saved. The Ford F-150, 4-wheel drive costs \$16,589.00 versus \$19,841.00 for the Nissan which is not 4-wheel drive.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve the recommendation by the Road Manager to purchase two Ford F-150 Pickup Trucks, 6 cylinder and 4-wheel drive at a cost of \$16,589.00 each.

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>

b. Walls Fire Department Parking Lot

Mr. Swims said the parking lot at the Walls Fire Department needs to be repaired.

Supervisor Lee Caldwell asked that the matter be tabled and all agreed. Supervisor Caldwell wants all matters to come from the Fire Department Committee.

5. Board Attorney Tony Nowak requested adding the following:

a. Agreement with Verizon

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to draft an agreement with Verizon authorizing their right of entry upon Greenbrook/Water Tower Park Southaven.

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. Authorization to work with the City of Southaven Attorney regarding Southaven Water Tower Park – Verizon Access

The Board discussed the water tower behind the old fire station in Southaven. The County owns the property; the City of Southaven thought this was city property when the City was incorporated.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to work with the City of Southaven Attorney in the matter of regarding ownership and use issues of Greenbrook/Water Tower Park.

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. Litigation: possible executive session discussion - Gates versus Barbour

This item was later determined to qualify for executive session.

d. Litigation: possible executive session discussion - Clyde Thompson

This item was later determined to qualify for executive session.

6. County Administrator, Vanessa Lynchard: Approval of FY 2014 Budget

County Administrator Vanessa Lynchard reminded the Board that the FY2014 Budget must be approved today or a meeting called for all of the Supervisors to attend to approve the FY 2014 Budget.

7. Supervisor Lee Caldwell reminded everyone of two upcoming events:

a. Soiree this Friday at the DeSoto Arts Council: \$15 per person \$25 per couple, arts contest for the schools – Saturday is Open House with free admission from noon until 4:00 p.m.

b. Eagle Fest: Saturday, September 28th 10:00 a.m.

Supervisor Harvey Lee said the weather for Eagle Fest is going to be very nice. There will be Eagles and Birds of Prey and there will also be games.

8. Chancery Clerk Sluggo Davis requested approval for a late bill for a refund in the amount of \$214.73 for correction on an erroneous assessment at the new Jail property.

At the recommendation of the Chancery Clerk, Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to pay a late bill for a refund in the amount of \$214.73 for correction on an erroneous assessment at the new Jail property.

The motion passed by a vote as follows:

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

9. Sheriff Bill Rasco requested declaring horse stalls surplus on jail property.

Sheriff Rasco said they removed old horse stalls that were on the new Jail property and would like to declare them surplus. He said he can sell them for \$1,000.

Board Attorney Tony Nowak said he would need to check into to make sure it is proper to dispose of the property without receiving bids.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to declare the horse stalls surplus on the property of the New Jail and accept an amount of not to exceed \$1,000; contingent upon the findings of the Board Attorney on the matter.

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

10. Director of Administrative Services Pat McLeod requested adding an inventory disposition for the Road Department.

Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to approve the dispositions below with the exception of the Crown Victoria and to leave it in inventory as listed below:

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	A C Q	C O S T	LOCATION AT PRELIMINARY	
39261	FORD 2008 F150	1FTRX12W58FA64974	HIGH MILEAGE: 191420	08	16K	ANIMAL SHELTER	
			SURPLUS / AUCTION				
34309	GMC 2006 1500S	1GTEC14V46Z239161	HIGH MILEAGE: 163433	06	14K	ANIMAL SHELTER	
			SURPLUS / AUCTION				
32448	DODGE 2003 RAM	1D7HA18N33J572391	HIGH MILEAGE: 161934	03	19K	ANIMAL SHELTER	
			SURPLUS / AUCTION				
30887	FORD 2001 CV	2FAFP74W81X114799	HIGH MILEAGE: 102468	00	23K	ADMIN PARKING LOT	DENIED
			SURPLUS / AUCTION				

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

See Exhibit E.10

11. Grant Writer Melissa Zizmann requested adding the following:

a. Acceptance of MEMA Grant and Board President to Sign

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve accepting a MEMA grant for EMA in the amount of \$3,225.00 to fund one radio on the MSWIN system and one situational monitor for EOC war room with no local match and the Board President to sign.

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 E.11.a

b. Approval to Apply for a Grant for playground resurfacing

Supervisor Lee Caldwell and Supervisor Harvey Lee seconded the motion to approve applying for the Kaboom Let’s Play Playground Surface Grant for the Recreational District Commission in the amount of \$750 with no match required to assist in the purchase of wood fiber playground surfacing for parks and the Board President to sign.

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.11.b

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. Interfund Loan Request

The following Interfund loan is needed to cover the payments for the Walls Sewer Bonds I&S Fund. At the present time, there is insufficient cash to pay the claims but the funds should be available during the year with receipt of the revenues from the tax sale for this fund and we can repay this Interfund loan.

From: General County Fund	001-000-054	\$10,000.00
To: Walls Sewer Bonds I&S	290-000-149	\$10,000.00

c. Request for Transfer of Sheriff Seized Funds

Case #	Defendant	Date Seized	Receipt #	Amount	Date of Forfeiture
2013-34406	Iyeth Hayse	7/23/13	28019	\$616.00	8/29/13
2013-34526	Tyler Powers	7/24/13	28019	\$987.00	8/29/13
2013-34728	James Biggers	7/25/13	28027	\$315.00	8/29/13
			TOTAL	\$1,918.00	

Transfer from Sheriff-Seized Fund	(123-000-139)	\$1,918.00
Transfer to Sheriff-Forfeiture Fund	(120-000-238)	\$1,918.00

d. Inventory Control Dispositions: Sheriff's Dept.: SID Forfeiture

AGENCY	CASE #		DATE			DESCRIPTION	SERIAL #	VALUE
			DECLARED	MFGR	YEAR			
SID	2013-34406	IYETH R HAYSE	08/29/13	TOYOTA	1998	CAMRY (BEIGE)	4T1BG22K3WU241188	2077.00

e. Sheriff's Office: Approval to Issue Checks for items upon receipt and approval to carry over the 2014 budget items not received in September

We have a request from the Sheriff's Department to approve issuing a check for the items listed below when they are received if they are received in September and approval to carry over to the 2014 budget any items that are not received in September.

<u>P.O. #</u>	<u>Date</u>	<u>Vendor</u>	<u>Amount</u>	
125369	8/6/13	Missouri State Highway Patrol	144,500.00	10 2010 Ford Crown Vics
124675	6/18/13	Helicopter Corp	4,930.08	Parts to overhaul tail rotor
125668	8/21/13	Helicopter Corp	7,620.52	Straps for blades on helicopter

The following purchase is to replace motorcycle equipment damaged in wrecks:

8/19/13	125610	Motor One	3,755.00	
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AMMO on Backorder

122923	2/7/13	Gulf States	3,160.00	
122936	2/7/13	Gulf States	12,720.00	
123223	3/1/13	Precision Delta	940.80	
123261	3/4/13	Gulf States	2,952.00	

Also, in July a budget amendment was requested & approved to move funds in vehicles to purchase a passenger Van. However, we were unable to located one on state contract this late in the year. The Sheriff has requested \$28,228 to be rolled over to the 2014 Budget.

2. Environmental Services

a. Annual Price Adjustment: Residential Garbage Collection, County Facility Collection and Rubbish Pit Operation Services – Waste Connections

b. Annual Price Adjustment: Starlanding Rubbish Pit Disposal – Unified Waste Systems (Mr. Jim Becher)

3. Procurement Card Log

Date Out	Time Out	Time In	Vendor	Department	Employee	Description of Purchase	TOTAL RECEIPT	Issues, if any
8/21/2013			Apple	IT	John Mitchell	Apple App	\$ 160.49	

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

a. Interlocal Agreement between the Cities of Olive Branch and Southaven Providing for Joint Participation in the 2013 Byrne Justice Assistance Grant

b. Election Commission: Agreements for use of Facilities for Polling Places – Board President to sign and make part of the minutes

c. Interlocal Agreement for Installation of Flood Control Measures for Hallum Estates Subdivision with Horn Lake Creek Watershed Drainage District

5. Road Department

a. Monthly Safety Report

b. Request to add Buena Vista Subdivision to Slurry Seal List

6. Chancery Clerk’s Office: Chancery Allowances (2) \$1,766.66 \$,600.00

7. Constables Report: Brandon Hylander Chris Plumlee Bobby Holloway

8. Appointments: Appoint Felicia Hopper Receiving Clerk in the IT Department

Supervisor Harvey Lee made the motion and Supervisor Bill Russell seconded the motion to approve the actions set forth in Consent Agenda, and to set the effective date of the rate increase for Unified Waste to be October 1, 2013 due to the fact the County cannot approve the increase retroactively.

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. Environmental Services - Code Enforcement: Assessment of Lien against Real Property pursuant to Mississippi Code Section 19-5-105, 7180 Broken Hickory Walls, MS 38680 Parcel # 1 09 7 25 0 4 0 00027 00

Environmental Services Manager Officer Ray Laughter said this property is in such a state of uncleanliness to be a menace to the public health and safety of the community. Mr. Laughter said this is the second cutting on this property.

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to approve the Order Assessing Property Cleanup Costs as Lien Against Real Property Pursuant to MISS Code Section 19-5-105 located at 7180 Broken Hickory Walls, MS 38680 Parcel # 1 09 7 25 0 4 0 00027 00; and the Board President to sign the documents.

The motion passed by a vote as follows:

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

See Exhibit G.1

2. Road Department – Hallum Estates Project: Agreement with David & Paula Frassenelli

Road Manager Andy Swims said property owners on the west side of Hallum Estates, David and Paula Frassenelli, have a checklist for the county to agree too.

Board Attorney Tony Nowak said the Frassenelli's will agree to donate .75 acres permanent drainage easement, 11.6 acre temporary construction easement, and \$3,000 worth of fill dirt for use in building the berm. The County will pay the Frassenelli's \$1,975.

Mr. Swims asked Mr. Nowak about the appraisal for the trees. Mr. Nowak said the trees were to be appraised but anticipated they were of nominal value.

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to approve the agreement with David and Paula Frassenelli to donate .75 acres of permanent drainage easement, 11.6 acres of temporary construction easement and approximately \$3,000 worth of dirt to DeSoto County; and DeSoto County to pay the Frassenelli's \$1,975.

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. Board Attorney: Order Prohibiting the Carrying or Possession of Deadly Weapons in County Buildings

Board Attorney Tony Nowak presented the Order Prohibiting Persons from the Open Carrying or Possession of Deadly Weapons in County Buildings without a Concealed Carry Permit with the Enhanced Endorsement Pursuant to Mississippi Code Section 97-37-7. Mr. Nowak said it is consistent with state law.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to approve the Order Prohibiting Persons from the Open Carrying or Possession of Deadly Weapons in County Buildings without a Concealed Carry Permit with the Enhanced Endorsement Pursuant to Mississippi Code Section 97-37-7.

The motion passed by a vote as follows:

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

See Exhibit G.3

H. NEW BUSINESS

1. EMS/EMA: MOU with the University of Mississippi Medical Center

Chief Deputy Chris Olson said the University of Mississippi Medical Center buys radios and equipment to put in our ambulances at no cost to the county. He presented a memorandum of understanding for the Board's consideration.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve an Addendum to the Memorandum of Understanding with the University of Mississippi Medical Center for radios for DeSoto County ambulances.

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.2

2. 10:00 a.m. Legislators meet in BOS Conference Room – Break

The Legislators and Board of Supervisors took a break and had refreshments in the BOS Conference Room.

3. 10:00 a.m. Legislative Requests 2014

Supervisor Mark Gardner welcomed the Legislators to the Board Meeting.

Page 8 - Affordable Rental Housing

Mr. Pieter Zee of the Assessor’s Department said Section 42 Housing is a topic that we have discussed annually for the last five years. Mr. Zee said the bottom line is how much money the county is losing. He said the following is the total losses:

Total All Cities	\$ -171,447
Total All County	\$ -407,231
All Total	\$ -578,678
Total Value Loss	\$ -27,519,221

Mr. Zee said His responsibility is to be fair and equitable and to value all like properties in the same manner. The current law goes against principals of the Tax Assessor’s Office and equalization.

Mr. Zee said the Tax Study determined the value of Section 42 Housing should be determined using the same methods as other commercial housing. He said the way to correct this problem is to repeal Senate Bill 3100 from the 2005 Regular Session which would allow the local assessors to value property in a fair and equitable manner. The value received from sales of any federal credits should be included over the life of the affordable housing contract if the income approach is utilized.

Mr. Zee said many years ago, the government paid toward your rent; that new idea was called tax subsidies. The developer financed 60% of the cost and the government paid the balance of funds for the project. Mr. Zee said when the taxes are assessed; they are not allowed to count the funds that the government provided for the apartments. Therefore, these subsidized apartments are not valued like other apartments that are not subsidized. He said there are also a lot of hidden monies in these transactions.

Mr. Zee said the request is to modify the code section to require appraisers to use the potential gross income approach using allowable expenses according to IAAO procedures and to add back the value of the subsidies.

Page 14 - Allow Tax Collector to Settle Funds Directly to Community Colleges

Chief Financial Officer Tom Arnold explained that currently community college funds are settled to the Chancery Clerk and then deposited into the Community College Funds. That process causes a delay because it has to go before the Board for approval. The county then transmits the funds to the community college district.

Mr. Arnold requested amending Mississippi Code Section 37-29-143 to allow the taxes collected for community colleges to be settled directly from the Tax Collector’s Office.

Page 15 - Authority for the County to Recover the Actual Cost Incurred in Enforcing the Zoning Laws

Board Attorney Tony Nowak said this item was also on the Wish List last year. Mr. Nowak said if the County takes a developer or homeowner to court for not complying with zoning laws, there is no law the Court can rely upon to direct the non-compliant entity or person to reimburse the County for costs of litigation. Mr. Nowak said counties should be entitled to recover any actual costs incurred to enforce the zoning laws, ordinances, and regulations including the attorney fees

and costs of litigations etc. to bring properties into compliance if the owner fails or refuses to do so.

Page 16 – Board of Supervisors - Approval to Declare an Emergency

Chief Deputy Director Chris Olson said there is a lengthy process in declaring a local emergency. After the proper paperwork is completed, it must then go before the Board of Supervisors for approval. Mr. Olson said 24 hours' notice may not allow the county residents' needs to be addressed adequately and legally as defined by MS Code Section 33-15-5.

Mr. Olson requested that MS Code Section 33-15-17(d) allow a Board of Supervisors to authorize the County Administrator or Emergency Management Director to declare an emergency, with ratification by the Board of Supervisor at the next regular or special meeting of the Board.

Page 21 – Infrastructure and Fire Truck Acquisitions Continued Funding

Chief Deputy Director Chris Olson and State Aid Engineer Tracy Huffman discussed continued funding for fire truck acquisitions infrastructure.

Mr. Huffman said the Local Systems Bridge Program (LSBP) suffered and fire departments throughout the state lost an important opportunity to help them remain compliant in their equipment due to no bond measures being passed into law. He said that \$200,000 comes to the county from the program for bridge repair. It takes \$600,000 to refurbish a bridge. Mr. Huffman asked that this program be continued.

Mr. Olson said this applies to rural fire trucks and we need the bond issue passed to help purchase fire trucks. The LSBP suffered and fire departments throughout the state lost an important opportunity to help them remain compliant in their equipment. Mr. Olson asked that bond funding be reinstated for fire truck acquisitions.

Supervisor Jessie Medlin said it had been on there for many years and was removed last year.

Page 17 – County Owned Landfills

Supervisor Bill Russell asked that the County owned facilities managing solid waste be exempt from the fee on solid waste facilities because the residents already pay solid waste taxes through millage.

Page 18 – County Purchases – Modify Purchases under \$1,000 without Purchase Requisition

Representative Wanda Jennings said this was in the House last year but it did not go through.

Page 19 – Election Commissioners - Terms to be Staggered No Party Affiliation

Supervisor Harvey Lee said the issue is as follows: Miss. Code Ann. 3-15-213 allows for the election of one (1) commissioner in each supervisor's district whose term shall commence on the first Monday of January following their election and who shall serve for a term of four (4) years. This code also states that all candidates for commissioner shall declare in writing their party affiliation if any, to the board of supervisors, and such party affiliation shall be shown on the official ballot.

Supervisor Lee said the request is to allow election commissioners' terms to be staggered which would make available an experienced commissioner to train newly elected commissioners; and due to the commissioners' duties, no party affiliation should be allowed when qualifying for office and ballots shall be non-partisan.

Page 20 – Homeowners Associations - Request law to guide government of Subdivision Homeowners Covenants

Supervisor Bill Russell said we know very little about homeowners associations and the laws are loosely based and vague. He said in some subdivisions the homeowners will not vote on important issues. He said that 100% of the people are required to vote to form a Homeowners

Association. The County has no control over Homeowners Associations. Supervisor Russell said MAS had agreed to work on this with the Board of Supervisors to sponsor a Bill.

Page 22 – Infrastructure - Continued Funding for MDOT

Supervisor Lee Caldwell said that most federal programs require an 80/20 match. Supervisor Caldwell said without MDOT funding we lose opportunities. Supervisor Caldwell said the County counts on that money and we appreciate it.

Page 23 – Infrastructure – Highway 301

Supervisor Lee Caldwell said a section of Highway 304 at Highway 301 was declared by the state as part of Scenic Byway 304. Supervisor Caldwell asked that the state designate Highway 301 South of Highway 304 to the State Highway System.

Page 25 – Infrastructure – Highway 305 Intersection at Bethel Road

Supervisor Jessie Medlin said there is a need for signalization at the intersection of Bethel Road and Highway 305. Supervisor Medlin said there has been an increase in traffic because of growth in the area and he is very concerned about serious accidents that could occur. Also, school buses go through that intersection. Supervisor Medlin said that a traffic count has been done.

Representative Jennings asked if a traffic count had been done. Road Manager Andy Swims said a traffic count was done in 2011 and he would continue to work with MDOT on the intersection.

Page 26 – Infrastructure - Highway 305 Church Road to Byhalia Road

Supervisor Medlin said he is very glad to have FedEx in Olive Branch. The FedEx trucks use Highway 305 in addition to Lewisburg Schools now using 305. Supervisor Medlin said the water stands in some sections of the road and it is dangerous. The traffic count in 2011 was 11,000 vehicles. The completion of I-269 will create even more traffic.

Supervisor Medlin said for years MDOT has planned to widen this section of Highway 305 but it has now been moved to 2015. Supervisor Medlin requested expediting the construction of Hwy 305 to five lanes from Church Road to Byhalia Road.

Page 28 – Legislative Delegation – Request for Both Chambers to Submit Bills

County Administrator Vanessa Lynchard said the Board of Supervisors has been working at a very fast pace and they appreciate how quickly the Legislators have responded to them. She said they are all in situations where communication is everything and she and the Board appreciated their quick response. Ms. Lynchard said we have experienced much success because of your competent leadership.

Ms. Lynchard said recent experiences have made us aware of how important it is to have bills introduced by **both** Chambers. Many issues that one chamber diligently shepherds through the process may fail and, when there is no companion bill, the issue goes without change.

Ms. Lynchard they are requesting that both Legislative Chambers submit bills for issues affecting DeSoto County.

Page 29 – Public Employment Retirement System – Employers Match

Supervisor Medlin said he is concerned about retirement systems that are failing all over the country. He said he would like to see revisions for employees who were hired more recently. In the last eight years, PERS contributions have increased steadily 6% for the employer portion. He said the county budget is increasing \$200,000 each year over the past ten years to accommodate

PERS. Supervisor Medlin said with this trend he does not see how PERS can sustain itself at 24%. Supervisor Medlin said it is a touchy situation but it needs to be looked at and increases need to be controlled to reasonably accommodate budgeting.

Page 31 – Sheriff’s Department - Request for Radar Authority

Supervisor Mark Gardner said there high numbers of speeders in the county because people know that radar cannot be used. The Sheriff would like to be able to use radar to enforce the law. It is a way to control speeders and could also help control public safety and apprehend drug traffic.

Sheriff Bill Rasco said it is amazing that cities can use radar to enforce the law but the county is not allowed to use radar. Sheriff Rasco said there was a crash yesterday due to speeding and one person is in the hospital. Sheriff Rasco said this is not a political issue and is not a way to raise money for the county. The ability to use radar is a way to save lives in the county.

The Sheriff said we are requesting to amend Section 63-3-519 of the Mississippi Code to authorize counties to acquire speed detection equipment for use by their law enforcement officers on certain public roads within their jurisdiction, provided that the Board of Supervisors has approved the operation. This action may be more appropriate for counties with a population of more than 75,000 according to the latest federal census. Use of radar equipment would be used by county sheriff’s departments on county roads, state highways, and federal highways by agreement with the Mississippi Highway Patrol; secondly, we request additional State Troopers be assigned to DeSoto County.

Page 32 - Sheriff Department – Request for Authority to Ticket Illegal Window Tinting

Supervisor Mark Gardner said other law agencies can ticket for illegal window tinting but the Sheriff’s Department cannot ticket for this. It is for the safety of the officers and the public.

Sheriff Rasco requesting amending the Mississippi Code Section 63-7-59 (15) as follows: Modify Mississippi Code 63-7-59 so that any law enforcement agency in the state of Mississippi, can ticket for illegal window tinting or add that county sheriff’s departments also shall be authorized to enforce the violation.

Page 37 – State Budget – Fully Fund State Obligations and Do Not Give Relief at the Expense of County Governments

Supervisor Harvey Lee said the issue is:

State and Federal governments are transferring an increasing list of services from their budget to county budgets. Offices and the public turn to county governments for funding to continue services:

- District Attorney Office & Staff
- DHS and Health Department
- Circuit Court Reporters
- Circuit Court Administrators
- Chancery Court Reporters
- Chancery Court Administrators
- Audit Services (Actual Expenses)
- Juvenile Drug Court

Supervisor Lee said the fully funded state obligation is \$1,397,921 the reimbursement is \$175,156 and the shortfall is -\$1,222,765. Supervisor Lee said he thinks it would be fair to split it in half.

Page 41 – State Budget - Fully Fund State Obligations and Do Not Give Relief at the Expense of County Governments (cont.)

Tax Loss Reimbursement

Chancery Clerk Sluggo Davis said he would echo what others are saying about the budget. He said we are better off than ten years ago. Mr. Davis requested refunding counties and schools the full \$100 per application according to Mississippi Code Section 27-33-77

Page 42 – State Budget – Fully Fund State Obligations (cont.)

Death Row Appeals

County Administrator Vanessa Lynchard said this Bill would be devastating to the County budget. Ms. Lynchard said she hopes the Legislators will do what they can to take if off of the counties.

**Page 43 – State Budget – Fully Fund State Obligations (cont.)
Juvenile and Family Drug Court**

Youth Court Judge Allen Couch said he appeared before the Board recently to discuss grant funding and the county not being able to fund the shortfall for the Youth Court Program. Judge Couch said the decision will be made by the Governor.

Supervisor Caldwell said she talked to the Governor and he is supposed to be in touch with her today.

Judge Couch said if we do not get the grant funding, the second oldest Juvenile Court in the state will have to close at the end of the calendar year. Judge Couch requested the Legislators to help get this grant which will fund the Youth Court Drug Court Program for the remainder of the year. He said he is asking for any help possible to get the program through this year and into next year.

Senator David Parker asked to meet with Judge Couch after the meeting.

Judge Couch clarified that the county did not cut the program. The State Advisory Board, of which he is a member, cut the funding. He said a 60% cut of any agency is devastating.

Supervisor Gardner asked if this affects the Adult Drug Court. Judge Couch said the tools are different. There is a funding mechanism that is a separate \$5.00 assessment for adult fines. They can collect felony assessments up to \$4 million. Juvenile Court is \$45,000 statewide.

Judge Couch said Youth Court has no way of collecting funds. Insurance is a big issue as well. Adults can work to earn money. Last year they did approximately 1,300 adult drug tests. Judge Couch said money is in the adult system to shoulder the responsibility but not the Juvenile Program.

**Page 53 – State Budget – Remove Requirement for AOC to Compensate and Approve
County Court Administrators**

Chief Financial Officer Tom Arnold said currently the Administrative Office of Courts (AOC) must approve, and counties must submit funding to the AOC to pay for Chancery, Circuit and County Court Administrators. The AOC returns the money to the respective court administrator. Because the state has an obvious stake in the pay of Chancery and Circuit Court Administrators across the state, that is a good system and we support its continuation.

However, because COUNTY COURTS are funded totally by counties, adding this requirement to COUNTY COURT ADMINISTRATORS creates an extra step that is both cumbersome and costly to the county and state.

Mr. Arnold said the request is to amend Mississippi Code Section 9-17-1 to remove the requirement for County Courts to pay Court Administrator's through the AOC.

Page 54 – Transfer Equipment at Road Department

Board Attorney Tony Nowak said the county has to reimburse the Road Department for use of man hours and equipment. Vehicles purchased by the County through use of Road and Bridge funds cannot be transferred to or used by other County Departments due to the restrictions placed on the use of Road and Bridge funds under Miss. Code Ann. § 65-15-1 et seq. Thus, while the County may sell road vehicles to other governmental entities for a nominal sum the County Road Department cannot transfer a vehicle to another County department for a nominal sum.

- Additionally, due to the limitations imposed by Miss. Code Ann. § 65-15-1 et seq on the use of Road and Bridge Funds, other departments cannot make use of road department equipment unless the County reimburses the road department. If the Sheriff's Department required the use of a road department backhoe, the Sheriff's Department would have to reimburse the road department the fair value of the cost of such use.

- Allowing county governments to have full use of all its vehicles and equipment, including by and between all its departments, will allow for more efficient operations and the acquisition of less equipment and fewer vehicles.

The request is for legislation providing that county road departments may allow the use of road department equipment and vehicles by other departments of the county without the necessity of being reimbursed, and to allow the county road department to transfer vehicles purchased with road and bridge funds to other county departments without reimbursement, or for a nominal sum, if the Board of Supervisors determines that such use or transfer is in the best interest of the taxpayers of the county. The Board of Supervisors shall place the justification on the minutes.

Mr. Nowak said he would send this request in legal form to the Legislators.

Mr. Nowak referred to the Homeowners Association in a previous discussion and said that he has worked on it for quite some time and sent out emails to other Board Attorneys who all supported the concept. A body of legislation is needed.

Page 55 – Broadband Coverage

Supervisor Lee Caldwell said 40% of land area of DeSoto County does not have high speed internet and has been incorrectly labeled as having good coverage of high speed internet.

The FCC maps are incorrect and need to be adjusted to ensure Mississippi, including Desoto County, secures as much federal financial support as possible to improve the communication services to taxpayers. There is a discrepancy where internet providers claim service and where residents actually have access to this service. In the interest of Desoto County citizens, the Board of Supervisors created a survey that was offered to the public to determine if high-speed internet was available to them at their needed location. The results of this survey are documented on maps available in the Board of Supervisors Administrative Office.

Supervisor Caldwell said the survey resulted in approximately 14,000 responses. She said they are asking the Legislators to work with FCC and public service commission to get this corrected. If money is available we want the FCC to understand that Mississippi needs money to make internet service better. Supervisor Caldwell said they are asking Legislators and MAS to let DeSoto County know of organizations that we can join to push this forward.

Senator Parker said he and others had a meeting with CenturyLink which will expand service to the eastern part of the DeSoto County and Marshall County. Supervisor Caldwell said it may be possible to get another provider to take on another part of the county. Senator Parker said there are strengths in numbers. Supervisor Jessie Medlin said he could talk to Bill Welch with CenturyTel in Olive Branch.

Supervisor Mark Gardner said some of providers were reluctant to share where their lines were and he suggested putting in empty conduit for future internet cables.

Supervisor Caldwell said developers could put the conduits in as they develop subdivisions.

Senator Parker asked if the Board is willing to look at installing conduit along I-69. After talking with providers this would be beneficial because they would not have to lay 4 inch conduit.

Supervisor Caldwell and Supervisor Gardner agreed and confirmed they are open to looking at that attraction and for other counties to let conduit be part of the construction along I-69.

The request is to encourage the Public Service Commission to continue working to deliver updated data to the Federal Communications Commission; work with the FCC and the Public Service Commission to expand the coverage of internet services to all citizens in Mississippi.

Derrick Surette of MAS said that we are blessed to have such a great association of supervisors in our state. He said there were over 50 supervisors from Mississippi at NACo.

Mr. Surette said we are always looking at ways to partner with counties to save money. The communication development is a long road. Your Legislative update helps us go back to other counties and talk about what you have done.

Mr. Surette said he appreciates the Board contacting them and they will call on the Board as well. Mr. Steve Gray, Legislative Assistant to the Director of MAS, said this was a very good meeting and thanked the Board.

Mr. Gray said they are seeing true detailed study at the Capitol on infrastructure. They are looking at old exemptions on the books.

Mr. Gray said some things he wanted to talk about with the Board have already touched on and they are dear to his heart.

Mr. Gray said they are looking at Senate Resolution 7 and will determine what they can offer and how it can be funded. October 16th is the final conference day for bringing all information. There could be a \$700 million increase in funding.

Mr. Gray said they are looking at tax exemptions and \$20 million is set aside for the LSBP line items. There is an issue on the Federal level with uncollected sales taxes on the internet. They want to position themselves to regain that tax; \$300 million to \$600 million. Mr. Gray said he would like to be at the table to get that money back.

Mr. Gray said weight limits on roads are being considered and Georgia did a referendum in each district. Citizens would know each project and the cost as well.

Mr. Gray said the EOC budget gets bigger each year and we need to get behind MAS to see that it get pushed down to the counties. He said he would like to add hawks to the BCAP program. There is money set aside and a matching fund.

Supervisor Gardner said the Supervisors use Mr. Gray as a resource and encouraged the Legislators to do so as well.

Ms. Lynchard said the process to reprimand a child who acts up at school becomes the County's responsibility and cost. She asked if they are looking at community based alternatives. Mr. Gray said he did not know.

Mr. Gray talked about Broadband. He said this was a good Bill many years ago; they have tried to make revisions but have not been successful. He said that MAS is behind Broadband across the state and they work to get revenue back from the tax on our phone bills.

Mr. Nelson said he and Ms. Jennings received calls about crediting exemptions on pollution controls. He said they voted the way DeSoto County asked.

Supervisor Gardner thanked the Delegation for appearing and for their support of DeSoto County.

4. Department of Human Resources: Request to Accept and Approve Quotes for Flu Shots

Human Resources Director Janna Rogers presented quotes for flu shots for DeSoto County employees as detailed in Exhibit H.4. It is a public service to the employees and comes from the 501 account.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve Funderburks as the lowest and best quote for flu shots at \$18 each and B-12 shots at \$10 each; they will also file claims with Medicare; funded from the 501 account.

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.4

5. Environmental Services

a. Stormwater Awareness Week Declaration 9/23-9/27 2013

Environmental Services Director Ray Laughter presented a resolution for Stormwater Awareness Week being held September 23 – 27 for the Board’s consideration.

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to declare September 23 – 27, 2013 as Stormwater Awareness Week.

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.5.a

b. Solid Waste: Authorization to work with Board Attorney for MOU with Waste Management to dispose of Rubbish at Tunica Landfill

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to work with Waste Management on a memorandum of understanding for use of the Tunica Landfill for disposal of rubbish.

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. Code Enforcement: PUBLIC HEARING

**3770 Byhalia Road Hernando, MS 38632 Parcel # 2 07 8 34 00 0 00029 00
Mississippi Code Section 19-5-105 Litter Ordinance Violation Hearing**

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to open the Public Hearing regarding 3770 Byhalia Road, Hernando, MS.

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>

Environmental Services Manager Ray Laughter said all steps were taken to inform the owner of the condition of their yard and the Public Notice was mailed August 21, 2013; there was no response. Mr. Laughter stated that in the opinion of Environmental Services, the property in its present condition is in a state of uncleanness to be a menace to the public health and safety to the community.

After finding that the property located at located at 3770 Byhalia Road Hernando, MS 38632 Parcel # 2 07 8 34 00 0 00029 00, the property in its present condition is in a state of uncleanliness to be a menace to the public health and safety to the community, Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve Environmental Services to have the property cleaned up, according to Mississippi Code Section 19-5-105; and to have the cost of cleaning the property be brought back to the Board of Supervisors for an assessment on October 7, 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>

Supervisor Harvey Lee thanked Code Enforcement Officer Craig Howell for doing such a good job.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to close the Public Hearing.

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.5.c

6. Office of Procurement: Bids Under Advisement

a. Guard Rails

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve Southern Guardrail Co., Inc. as the lowest and best bid in connection to bid number 14-156-002 for guard rails as follows:

BID ITEM: Annual Bid-Guardrails		BID FILE NUMBER: 14-156-002	
BID OPENING DATE: August 8, 2013		BID OPENING TIME: 2:00 p.m.	
ITEM	Southern Guardrail Co., Inc. 4219 Alps Road, Memphis, TN	Tri-State Guardrail & Sign Co., Inc. P. O. Box 1028, Collierville, TN	
Class A	\$ 21.05	\$ 38.00	Per Linear Foot
GR Bridge Ends	\$ 2,100.00	\$ 2,800.00	each
Type 2 Terminal Ends			
Section ET-2000	\$ 2,300.00	\$ 2,775.00	each
Guardrail Terminal			
Anchor, Flared	\$ 2,300.00	\$ 2,400.00	each
Do you agree to sell to other jurisdictions at the county price?			
	No	Yes	
Consider us as an alternate	Yes	Yes	
RECOMMENDATION: Southern Guardrail Co., Inc.			
ITEM	FY13 EXPENSE	FY 14 EXPENSE BASED ON FY13 USAGE	
Class A	\$ 2,012.50	\$ 1,841.88	
GR Bridge Ends	None	\$ -	
Type 2 Terminal Ends			
Section ET-2000	\$ -	\$ -	
Guardrail Terminal			
Anchor, Flared	Usage not tracked		
TOTAL	\$ 2,012.50	\$ 1,841.88	
BUDGET IMPACT:	-8.48%	Decrease	

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. Replacement of Flooring 2nd and 3rd Floors Administration Building

The Board discussed the condition of flooring in the building. The replacement of the flooring is in the budget. The Board agreed to visually inspect the carpet during a break.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded to approve American Tile's pricing of \$159,400 as the lowest and best bid for replacement of flooring on the 2nd and 3rd floor of the Administration Building in connection with bid number 14-151-001 as follows:

Type 2 Terminal Ends	\$	-	\$	-
Section ET-2000				
Guardrail Terminal Anchor, Flared	Usage not tracked			
TOTAL	\$	2,012.50	\$	1,841.88
BUDGET IMPACT:	-8.48% Decrease			

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.c

d. Sand and Gravel

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to award by item per designated area and by the lowest and best bid for sand and gravel in connection with bid file number 4-156-006 as follows:

Bid Response - Designated Area "A" Western County Line East to Baldwin Road

	CLEVELAND CONSTRUCTION INC Hernando, MS			MEMPHIS STONE & GRAVEL CO Memphis, TN			STANDARD CONSTRUCTION Germantown, TN	PICKLE SAND AND GRAVEL Hernando, MS	METRO MATERIALS, INC Memphis, TN
Pit Location	1ST Pit Laughter Rd	2ND Pit Love Rd	3RD Pit Grays Creek Rd.	3410 North Robertson Road (Billingsley Pit)	2325 Pleasant Hill Road, (Anderson Pit)	4053 Hogfoot Rd (Perry Pit Senatobia)	1338 Hwy 309 N. Byhalia MS(Nichols Pit)	Mosby Rd	1793 Nedra
Mileage x 2	45.2	45.4	40	28	33.8	60.6	73.4	46.4	57
Raw Unprocessed Gravel Removed By Vendor	6.00 yd \$ 4.35	5.00 yd \$ 3.62	6.00 yd \$ 4.35	4.90 ton \$ 7.00	No Bid	4.05 ton \$ 15.15	No Bid	5.50 yd \$ 3.99	No Bid
converted ton price	\$4.35	\$3.62	\$4.35	\$7.00		\$15.15		\$3.99	
haul charge (\$0.25 x mileage)	\$11.30	\$11.35	\$10.00	\$7.00		\$15.15		\$11.60	
price based on mileage	15.65	14.97	14.35	\$11.90		19.20		15.59	
Processed Gravel	6.00 yd \$ 4.35	5.50 yd \$ \$3.99	6.00 yd \$ \$4.35	8.50 ton \$ \$8.50	No Bid	No Bid	No Bid	No Bid	No Bid
converted ton price	\$4.35	\$3.99	\$4.35	\$8.50					
haul charge (\$0.25 x mileage)	\$11.30	\$11.35	\$10.00	\$7.00					
price based on mileage	15.65	\$15.34	\$14.35	\$15.50					
Pit Run Sand	6.00 yd \$4.35	5.00 yd \$3.62							
converted ton price	\$4.35	\$3.62							
haul charge (\$0.25 x mileage)	\$11.30	\$11.35	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
price based on mileage	\$15.65	\$14.97							
Washed #57 Gravel	No Bid	No Bid	No Bid	No Bid	No Bid	15.00 ton	No Bid	No Bid	No Bid

converted ton price \$ 15.00
 haul charge (\$0.25 \$
 x mileage) 15.15
 price based on \$
 mileage **30.15**

Washed Sand

					5.70 ton	2.00 ton			17.75 ton
converted ton price					\$5.70	\$ 2.00			\$ 17.75
haul charge (\$0.25	No Bid	No Bid	No Bid	No Bid			No Bid	No Bid	\$
x mileage)					\$8.45	15.15			14.25
price based on						\$			\$
mileage					\$14.15	17.15			32.00

Washed Pea Gravel

					17.00 Ton	17.00 ton			
converted ton price	No Bid	No Bid	No Bid	No Bid	\$17.00	\$ 17.00			No Bid
haul charge (\$0.25					\$8.45		15.15		No Bid
x mileage)						\$			
price based on					\$25.45	32.15			
mileage									

Washed Oversized Rock

converted ton price	No Bid								
haul charge (\$0.25									
x mileage)									
price based on									
mileage									

Fill Dirt

		5.00 yd	5.00 yd					6.00 yd	
haul charge (\$0.25	No Bid	\$11.35	\$10.00	No Bid	No Bid	No Bid	No Bid	\$11.60	No Bid
x mileage)									
price based on		\$10.99	\$15.00					\$17.60	
mileage									

RECOMMENDATION: Award by lowest price per designated area "A"

Bid Response - Designated Area "B" Baldwin Rd East to Getwell Road

Mileage x 2	30.8	27.6	25.6	10.2	19.4	44.6	63.4	28.4	59.2
Raw Unprocessed Gravel When Removed									
Vendor	6.00 yd	5.00 yd	6.00 yd	4.90 ton	No Bid	4.05 ton \$ 11.15	No Bid	5.50 yd	No Bid
	\$4.35	\$3.62	\$4.35	\$2.55				\$3.99	
haul charge (\$0.25 x mileage)	\$7.70	\$6.90	\$6.40	\$2.55		11.15		\$7.10	
price based on mileage	\$12.05	\$10.52	\$10.75	\$5.10		\$ 22.30		\$11.09	
Processed Gravel	6.00 yd	5.50 yd	6.00 yd	8.50 ton					
converted ton price	\$4.35	\$3.99	\$4.35	\$8.50	No Bid	No Bid	No Bid	No Bid	No Bid
haul charge (\$0.25 x mileage)	\$7.70	\$6.90	\$6.40	\$2.55					
price based on mileage	\$12.05	\$10.89	\$10.75	\$11.05					
Pit Run Sand	6.00 yd	5.00 yd							
converted ton price	\$4.35	\$3.62							
haul charge (\$0.25 x mileage)	\$7.70	\$6.90	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
price based on mileage	\$12.05	\$10.52							
Washed #57 Gravel						15.00 ton \$ 15.00			
converted ton price	No Bid	No Bid	No Bid	No Bid	No Bid		No Bid	No Bid	No Bid
haul charge (\$0.25 x mileage)						11.15			
price based on mileage						\$ 26.15			
Washed Sand					5.70 ton	2.00 ton \$ 2.00	No Bid	No Bid	17.75 ton \$ 17.75
converted ton price	No Bid	No Bid	No Bid	No Bid	\$5.70				

haul charge (\$0.25 x mileage)						\$ 11.15			\$ 11.72
price based on mileage						\$ 13.15			\$ 29.47

Washed Pea Gravel

					17.00 Ton	17.00 ton			
converted ton price	No Bid	No Bid	No Bid	No Bid	\$17.00	\$17.00		No Bid	No Bid
haul charge (\$0.25 x mileage)					\$4.85	11.15			
price based on mileage					\$21.85	\$ 28.15			

Washed Oversized Rock

converted ton price	No Bid								
haul charge (\$0.25 x mileage)									
price based on mileage									

Fill Dirt

		5.00 yd	5.00 yd					6.00 yd	
haul charge (\$0.25 x mileage)	No Bid	\$6.90	\$6.40	No Bid	No Bid	No Bid	No Bid	\$ 7.10	No Bid
price based on mileage		\$11.90	\$11.40					\$ 13.10	

RECOMMENDATION: Award by lowest price per designated area "B"

Bid Response - Designated Area "C" Getwell Road East to Eastern County Line

Mileage x 2	10.2	31.8	29.8	20.8	18	64.4	20.4	31.2	67.6
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Raw Unprocessed Gravel When Removed By Vendor

	6.00 yd	5.00 yd	6.00 yd	4.90 ton		4.05 ton	5.75 Ton	5.50 yd	
converted ton price	\$4.35	\$3.62	\$4.35	\$4.90		\$	\$5.75	\$3.99	

haul charge (\$0.25 x mileage)	\$2.55	\$7.95	\$7.45	\$5.20		4.05 \$ 16.10	\$5.10	\$7.80	
price based on mileage	\$6.90	\$11.57	\$11.80	\$10.10		\$ 20.15	\$10.85	\$11.79	
Processed Gravel	6.00 yd	5.50 yd	6.00 yd	8.50 ton					
converted ton price	\$4.35	\$3.99	\$4.35	\$8.50	No Bid	No Bid	No Bid	No Bid	No Bid
haul charge (\$0.25 x mileage)	\$2.55	\$7.95	\$7.45	\$5.20					
price based on mileage	\$6.90	\$11.94	\$11.80	\$13.70					
Pit Run Sand	6.00 yd	5.00 yd					5.35 Ton		
converted ton price	\$4.35	\$3.62					\$5.35		
haul charge (\$0.25 x mileage)	\$2.55	\$7.95	No Bid	No Bid	No Bid	No Bid	\$5.10	No Bid	No Bid
price based on mileage	\$6.90	\$11.57					\$10.45		
Washed #57 Gravel						15.00 ton \$ 15.00	16.50 ton \$ 16.50		
converted ton price	No Bid	No Bid	No Bid	No Bid	No Bid	\$ 15.00	\$16.50	No Bid	No Bid
haul charge (\$0.25 x mileage)						\$ 16.10	\$5.10		
price based on mileage						\$ 31.10	\$21.60		
Washed Sand					5.70 ton	2.00 ton \$ 2.00	6.95 ton \$ 6.95		17.75 ton \$ 17.75
converted ton price	No Bid	No Bid	No Bid	No Bid		\$ 2.00	\$6.95	No Bid	\$ 17.75
haul charge (\$0.25 x mileage)						\$ 4.50	\$5.10		\$ 16.90
price based on mileage						\$10.20	\$12.05		\$ 34.65
Washed Pea Gravel	No Bid	No Bid	No Bid	No Bid	17.00 ton	17.00 ton \$ 17.00	16.50 ton \$ 16.50	No Bid	No Bid
converted ton price						\$17.00	\$16.50		

haul charge (\$0.25 x mileage)							\$		
							16.10		\$5.10
price based on mileage							\$		
							33.10		\$21.60

**Washed
Oversized
Rock**

19.50 ton

converted ton price	No Bid		\$19.50	No Bid	No Bid					
haul charge (\$0.25 x mileage)								\$5.10		
price based on mileage								\$24.60		

Fill Dirt

5.00 yd 5.00 yd

6.00 yd

		\$5.00	\$5.00						\$6.00	
haul charge (\$0.25 x mileage)	No Bid	\$7.95	\$7.45	No Bid	\$7.80	No Bid				
price based on mileage		\$12.95	\$12.45						\$13.80	

RECOMMENDATION: Award by lowest price for designated area "C"

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.d

e. Annual Bid – Cement Treated Base

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve APAC and Metro for 6% soil cement based upon proximity to job location and to award 10% to APAC in connection with bid file number 4-156-008 as follows:

BID ITEM: Annual Bid-Cement Treated Base		BID FILE NUMBER: 14-156-008		
BID OPENING DATE: August 8, 2013		BID OPENING TIME: 2:00 p.m.		
		STANDARD CONSTRUCTION, GERMANTOWN, TN	APAC- TENNESSEE, MEMPHIS, TN	METRO MATERIALS, INC., MEMPHIS, TN
ITEM	DESCRIPTION			
6% Cement Content	Minimum 750 psi mix/per ton	\$ 25.00	\$ 24.00	\$ 24.00
10% Cement Content	Minimum 500 psi mix s/10% limestone/per ton	\$ 29.50	\$ 23.00	\$ 26.75
Will your company be an alternate bidder?		YES	YES	YES
Will you sell to other jurisdictions at the county bid price?		NO	NO	NO
RECOMMENDATION:	APAC 10% Cement Content			
	Use lowest vendor's proximity of job site to be determined by the Road Department as needed for the 6% Cement Content due to APAC and METRO bidding the same amount.			
		USAGE		
		FY14 EXPENSE		
		BASED ON FY13		
		USAGE		
ITEM	FY13 EXPENSE			
6% Cement Content	NONE	NONE		
10% Cement Content	\$ 17,590.00	\$ 17,590.00		
BUDGET IMPACT COMPARED TO FY13 BID				
ITEM	DESCRIPTION	FY13 PRICE	FY14 PRICE	BUDGET IMPACT
6% Cement Content	Minimum 750 psi mix	\$ 23.56	\$ 24.00	2%
10% Cement Content	Minimum 500 psi mix w/10% limestone	\$ 23.00	\$ 23.00	0%
				2% Increase

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.e

f. Annual Bid – Flex-A-Mat

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve Southern Pipe and Supply in Horn Lake, MS as the lowest and best bid for mats in connection with bid file number 14-156-012 as follows:

BID ITEM: Annual Bid-Flex-A-Mat		BID FILE NUMBER: 14-156-012	
BID OPENING DATE: August 8, 2013		BID OPENING TIME: 2:00 p.m.	
	Picked up by County	Delivered by Vendor	
DESCRIPTION	Southern Pipe & Supply, Horn Lake, MS	Southern Pipe & Supply, Horn Lake, MS	
5' wide X 50' roll	\$ 1,003.75	\$ 1,023.00	
8' wide x 30' roll	\$ 876.00	\$ 892.80	
8' wide x 50' roll	\$ 1,460.00	\$ 1,488.00	
10' wide x 50' roll	\$ 1,825.00	\$ 1,860.00	
RECOMMENDATION:	Southern Pipe & Supply		
One Bid Received			
USAGE			
ITEM	FY13 EXPENSE	FY14 EXPENSE BASED ON FY13 USAGE	
5' x 50' ROLL	\$ 10,350.00	\$ 11,041.25	
BUDGET IMPACT COMPARED TO FY13 BID			
DESCRIPTION	FY13 PRICE	FY14 PRICE	
Flex-A-Mat 5'x50' per roll	\$ 990.00	\$ 1,003.75	
BUDGET IMPACT	1.39%	INCREASE	

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.f

7. Office of Finance and Accounting

a. Inventory Dispositions: Preliminary

1) Road Department

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve the preliminary disposition for the Road Department and to use it for a trade in as follows:

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	A C Q	C O S T	LOC AT PRELIMINARY
36132	LONDON FOG MOSQUITO SPRAYER #82	2010	MOTOR LOCKED UP / SURPLUS TRADE-IN	10	7K	CENTRAL MAINTANCE

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 H.7.a.1

2) Sheriff's Department

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the preliminary disposition for the Sheriff's Department as follows:

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	A C Q	C O S T	LOCATION AT PRELIMINARY
38418	FORD 2005 CROWN VIC	2FAHP71W05X127081	HIGH MILEAGE / SURPLUS - AUCTION	08	13k	SO - CENTRAL MAINTENANCE
38419	FORD 2005 CROWN VIC	2FAHP71W45X156762	HIGH MILEAGE / SURPLUS - AUCTION	08	12K	SO - CENTRAL MAINTENANCE

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 H.7.b

b. Grants Administration: Medical Reserve Corp Grant Funds Acceptance

Grant Administrator Melissa Zizmann said we received \$15,000 from this grant last year and only used \$7,000.

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve accepting the Medical Reserve Corp Grant for EMS in the amount of \$16,000 with no match required to cover travel/meals, printing, uniforms and training/registration and office supplies for Medical Reserve Corp Staff and volunteers.

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 H.7.a.2

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 Cockrum Community Center on page 11. Facilities Manager Tony Martin said it is for utilities supplied by Entergy.

Supervisor Lee Caldwell asked about the following items:
 Page 35 – Data Management: Mr. Arnold said this is for the purchase of three time clock systems

Page 37 – Helicopter Corp. of America: Sheriff Rasco said this is for repair parts for the new helicopter

Supervisor Mark Gardner asked about the following items:

Page 13 – Siemens: Maintenance agreement on chillers

Page 19 – Government Connections: Mr. Arnold said this is for multiple cartridges

Page 29 – David L. Walker: Mr. Arnold said he fills in for the Public Defender

Page 56 - \$180,000 for Select Administrative Services: Mr. Arnold said this is for administrative fees for managing medical bills for the Sheriff’s Department

Page 57 – MHC Sterling Ford: Mr. Arnold said this is for one repair of a diesel engine on an ambulance.

Page 66 – Department of Human Resources: Mr. Arnold said they usually stock up on supplies at the end of the year for the following year.

County Administrator Vanessa Lynchard said it is not uncommon to get a little ahead in case of budget issues.

Page 80 – Business Communications: Backup parts – Main server unit repair parts for the I.T. Department

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.

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: Jailor Training

Board Attorney Tony Nowak said in years past, the Sheriff hires him to conduct Jailor Training at the Jail at a rate of \$500.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the Board Attorney to conduct Jailor Training at the Jail on October 4 at a rate of \$500.

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>

I. PLANNING COMMISSION AGENDA

**DeSoto County Board of Supervisors
Planning Agenda
September 16, 2013
11:00 a.m.**

I. PUBLIC HEARINGS

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>

- 1. Harold Smith Rezoning (723) – Application is for approval of Rezoning of property from Agricultural-Residential (A-R) to Planned Commercial (C-4), identified as Parcel #2-06-9-32-00-0-00015-02. Subject property is located on the north side of Byhalia Road and east side of Craft Road in Section 32, Township 2, Range 6 and is zoned Agricultural (A-R). (District 5)**

Mr. Tom Haysley requested this item be tabled until a later date.

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

Mr. Tony Nowak asked if the applicant is fine with this application being tabled. Mr. Haysley stated the applicant is asking that the item be tabled and to return at a later date to be determined with an updated plan.

Supervisor Lee made a Motion to table Harold Smith Rezoning (723) to a date to be requested by the applicant or Planning Commission at the appropriate time. Supervisor Gardner 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>

Supervisor Medlin made a Motion to close a Public Hearing. 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>

II. MINOR LOT

- 1. Pierce Minor Lot (6896) – Application is for final subdivision approval of one (1) lot of 2.0 acres, identified as Parcel #2-06-4-17-00-0-00010-05. Subject property is located on the north side of Dunn Lane and east of Craft Road in Section 17, Township 2, Range 6 and is zoned Agricultural-Residential (A-R). (District 5)**

Mr. Haysley presented the Pierce Minor Lot (6896) and stated approval was recommended by the Planning Commission.

Supervisor Lee made a Motion to approve the Pierce Minor Lot (6896). Supervisor Gardner 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
FIFTH DISTRICT SUPERVISOR, HARVEY LEE

YES
YES

- 2. Kelly Minor Lot (6897) – Application is for final subdivision approval of one (1) lot of 3.3 acres, identified as Parcel #3-07-2-09-00-0-00004-00. Subject property is located on the south side of Brights Road and east of Jaybird Road in Section 9, Township 3, Range 7 and is zoned Agricultural (A). (District 5)**

Mr. Haysley presented the Kelly Minor Lot (6897) and stated approval was recommended by the Planning Commission.

Supervisor Lee made a Motion to approve the Kelly Minor Lot (6897). 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. Smith Minor Lot (6898) – Application is for final subdivision approval of one (1) lot of 2.0 acres, identified as Parcel #2-08-5-15-00-0-00017-00. Subject property is located on the east side of Tulane Road and east of Austin Road in Section 15, Township 2, Range 8 and is zoned Agricultural-Residential (A-R). (District 4)**

Mr. Haysley presented the Smith Minor Lot (6898) and stated approval was recommended by the Planning Commission.

Supervisor Caldwell made a Motion to approve the Smith Minor Lot (6898). 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>

- 4. Second Revision of Taylor 4-Lot Subdivision Minor Lot (6899) – Application is for final subdivision approval of four (4) lots totaling of 8.44 acres, identified as Parcel #3-07-4-17-09-0-00001-00. Subject property is located on the west side of Jaybird Road and north of Holly Springs Road in Section 17, Township 3, Range 7 and is zoned Agricultural-Residential (A-R). (District 5)**

Mr. Haysley presented the Second Revision of Taylor 4-Lot Subdivision Minor Lot (6899) and stated approval was recommended by the Planning Commission.

Supervisor Lee asked for clarification that the original minor lot subdivision consisted of five lots. Mr. Haysley stated that the original minor lot subdivision was five lots and the request is to divide Lot 2 and merge part of Lot 2 with Lot 3 and the other part will be merged with Lot 1.

Supervisor Lee made a Motion to approve the Second Revision of Taylor 4-Lot Subdivision Minor Lot (6899). 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>

III. OTHER ITEMS

1. Refund request by Lennox Homes, LLC for a building permit fee in the amount of \$634.00

Mr. Haysley presented the request for refund of the building permit fees by Lennox Homes, LLC for Lot 17 of Andrew Parks Subdivision in the amount of \$634.00.

Supervisor Medlin asked why the applicant is requesting the refund. Mr. Haysley stated that the Health Department will not approve a septic system for the size of home the lot owner wishes to build. Mr. Haysley went on to state that the permit was never issued due to the lack of Health Department approval.

Supervisor Medlin made a Motion to approve the Refund request by Lennox Homes, LLC for a building permit fee in the amount of \$634.00. 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>

J. EXECUTIVE SESSION

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

K. OTHER

1. Office of Finance and Accounting: Budget Amendment

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the budget amendment as presented by Chief Financial Officer Tom Arnold and as detailed in Exhibit K.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>

2. Budget FY 2014 Salary Increase

Supervisor Harvey Lee made the motion and Supervisor Bill Russell seconded the motion to amend the previously approved salary line items from 1.5% to 3%; and to review the salary study when it is received by the Board.

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 Harvey Lee made the motion to adjourn the Board meeting until October 7, 2013 at 9:00 a.m. The motion was seconded by Supervisor Lee Caldwell.

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 16th of September, 2013, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Mark Gardner, President
DeSoto County Board of Supervisors