

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

DISTRICT ONE JESSIE MEDLIN, PRESIDING

April 2, 2012

A. CALL TO ORDER

The April 2, 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
Michael Garriga	County Administrator
Tony Nowak	Board Attorney

B. INVOCATION

County Administrator Michael Garriga presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. CITIZEN REMARKS

Supervisor Jessie Medlin asked if anyone was present who wished to address the Board of Supervisors regarding an item not listed on the Agenda.

No one came forward.

E. APPROVAL OF MARCH MINUTES

The Board of Supervisors considered the minutes for March as presented.

The official minutes of the Board of Supervisors were read for the month of March 2012.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to accept the minutes of the Board of Supervisors for March 2012, as presented this date with changes previously submitted pursuant to Section 19-3-27 of the Mississippi Code of 1972, annotated.

The motion passed by a vote as follows:

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

See Exhibit E

F. 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 Medlin requested adding a contract for Adult Drug Court to the Agenda.

Board Attorney Tony Nowak said there was malfunction with drug testing equipment from Siemens. Mr. Nowak said the damage totaled \$3,095.95. He said Siemens would reimburse the County and they have sent a release for the County to sign in connection with the incident.

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to approve the release and authorize the Board President to sign the document and to authorize the County to pay the bill in the amount of \$3,095.95 to correct the damage with a reimbursement from Siemens.

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.) Supervisor Medlin said that Emergency Services Director Bobby Storey asked the Board to consider a proclamation for Public Safety Telecommunications.

A the recommendation of the Emergency Services Director Bobby Storey, Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to proclaim the week of April 8-14 as Public Safety Telecommunications 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 F.2

3.) Supervisor Mark Gardner requested to report about his trip to Jackson concerning Local and Private Legislation before the Legislature for the Sheriff's Department use of radar.

Supervisor Gardner said he went to Jackson last week to meet with the Legislators to talk about the need for the Sheriff's use of radar in the County. Supervisor Gardner said the Sheriff's Department did a great job gathering data for him to present. He said County Administrator Michael Garriga pared the information down to summarize the data for presentation to the Legislators. He said all of the Supervisors have received a lot of feedback on the subject of radar. He said this is not a revenue issue.

Supervisor Gardner said the Legislators were impressed with the information which included information about fatalities related to speeding motorists. He met with the State Representatives and Senators and they understand the County's position. He said both Committee Chairs in the House and Senate told him that radar issues did not get out of committee this year.

Supervisor Gardner said there is still a window for local and private legislation. He said he talked to Derrick Surratt of MAS and he suggested adopting something under home rule.

4.) Supervisor Gardner asked to add an item concerning debt owed to the County by the Convention and Visitors Bureau.

Supervisor Mark Gardner said that revenue is up at the Landers Center, including the 2% tourism tax which continues to grow, and he would like to address the debt owed to the County.

County Administrator Michael Garriga said earlier the Board authorized Supervisor Jessie Medlin and Supervisor Gardner to meet with the chairman of the Landers Center about reducing the debt and working toward a repayment schedule. Mr. Garriga said Chief Financial Officer Tom Arnold and the Comptroller of the Landers Center will also be present at the meeting.

Supervisor Gardner said they would wait to see the results and recommendation of the meeting before proceeding.

5.) Supervisor Gardner asked to report to the Board about the great job by the DeSoto County Sheriff's Department with recovery of his stolen county cell phone.

Supervisor Mark Gardner said Commander Roger Hutchins handled an issue in Justice Court where Supervisor's County cell phone was stolen. He explained the situation and commended the Sheriff's Department for their fast and successful efforts in locating the County cell phone.

6.) Supervisor Lee Caldwell asked to add acknowledging National Autism Awareness Month.

7.) Board Attorney Tony Nowak requested adding a lease for Drug Court.

8.) Sheriff Bill Rasco asked to add a Memorandum of Understanding (MOU) with the Mississippi Department of Transportation (MDOT) to clean up state routes within the County.

Sheriff Bill Rasco presented an MOU with MDOT for the County to clean up I-55 and other state routes for consideration by the Board of Supervisors. Sheriff Rasco said the state would reimburse the County \$10.00 per hour for the purpose of hiring a supervisor overseeing work trustee as well as furnish materials such as bags and vests for workers.

Supervisor Bill Russell asked if the agreement only covers I-55.

Sheriff Rasco advised that it includes all of the state highways within the County. Sheriff Rasco said the County could hire someone to run the program full time and utilize the reimbursement to cover some of the costs. The days the crews are not working on state highways, they could clean county roads.

Supervisor Jessie Medlin asked if there is money in the Sheriff's budget to hire someone for the program. Sheriff Rasco said the program is important enough that he would find money within the budget to pay for the supervisor.

Board Attorney Tony Nowak explained the details of the work services program.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve an agreement with the Mississippi Department of Transportation contingent upon the Board Attorney's approval and authorize the Board President to sign the agreement once the Board Attorney approves the document.

The motion passed by a vote as follows:

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

Supervisor Russell said he wants to see the specifics of the agreement and determine the County's responsibility and financial obligation before voting for it.

9.) Inventory Clerk Char McCool requested to add a preliminary and final inventory disposition for generators as described under I.4.a.(2.).

10.) County Engineer Andy Swims asked to add an additional NRCS agreement for the Horn Lake Creek NRCS Project.

DeSoto County Engineer Andy Swims presented a form from NRCS for the Horn Lake Creek Project for the Board President's signature. He said this is another agreement required by NRCS on this Project.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to authorize the Board President to sign the document for the NRCS project related to with Horn Lake Creek.

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.10

11.) Human Resources Director requested adding a personnel matter related to Animal Services to the Executive Session agenda.

12.) Supervisor Jessie Medlin asked to add a personnel matter related to the Road Department to the Executive Session agenda.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to accept and approve the proposed additions to the Agenda as requested.

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>

G. CONSENT AGENDA

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

Supervisor Mark Gardner asked about the Tiger Commissary Services renewal agreement and if Sheriff Bill Rasco was happy with the agreement. Sheriff Rasco said he has not seen the final agreement and requested the agreement to be held over until the following meeting.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the Consent Agenda as follows, but to table item **G.7.a – Consideration of Revised Jail Commissary Agreement**, with Tiger Commissary until the Sheriff has reviewed the agreement:

1. Dept. of Human Resources: Monthly Health Claims

The following is a recap of all insurance claims funded for the month of March and paid to Humana:

Funding Request	Date Paid	Amount	Claim Type
Date			
3/12/12	3/5/12	\$81,463.63	Administration Fees
3/12/2012*	3/13/12	\$61,804.59	Medical
3/12/2012*	3/13/12	\$6,719.35	Dental
3/12/2012*	3/13/12	\$14,717.02	Pharmacy
3/12/12	3/13/12	\$54,126.76	Medical
3/12/12	3/13/12	\$5,197.42	Dental
3/12/12	3/13/12	\$14,848.16	Pharmacy
3/19/12	3/22/12	\$46,575.09	Medical
3/19/12	3/22/12	\$5,570.60	Dental
3/19/12	3/12/12	\$16,053.46	Pharmacy
3/26/12	3/26/12	\$68,147.13	Medical
3/26/12	3/26/12	\$7,390.32	Dental
3/26/12	3/26/2012	\$14,548.12	Pharmacy
	Total	\$397,161.65	

2. Justice Court Report

Criminal Cases Filed	90
Civil Cases Filed	356
Traffic Tickets Filed	934
Total Cases Filed	<u>1,380</u>

State Assessments	\$79,960.50
County General Fund	\$116,143.48
Total Collections	<u>\$196,103.98</u>

3. Bailiff Pay

Liz Medlin	\$380.00
Lee Hodges	\$365.00
Bobby Holloway	\$380.00
Brandon Hylander	\$245.00
Curtis Plumlee	\$270.00

4. Publication of Board Proceedings

5. Office of Finance & Accounting

a. Budget Amendments: Detailed in Exhibit G.5.a

b. Quarterly Allocations

QUARTERLY BUDGET ALLOCATIONS For Quarter Ending June 30, 2012

TAX ASSESSOR: Department 103	\$ 319,231.00
TAX COLLECTOR: Department 104	\$ 336,368.50
SHERIFF:	
Department 200 (Sheriff Administration)	\$ 288,458.00
Department 201 (Aviation)	\$ 59,512.25
Department 202 (Patrol/Law Enforcement)	\$2,480,014.00
Department 212 (Highway Safety Grant)	\$ 47,054.25
Department 213 (Occupant Protection Grant)	\$ 2,503.75
Department 220 (Custody of Prisoners)	\$ 952,653.84
Department 222 (Prisoners' Medical Expense)	\$ 361,353.67
Department 223 (Juvenile Detention)	\$ 248,513.25
TOTAL	\$4,440,063.01

c. Request for Transfer of Sheriff Seized Funds

Case #	Defendant	Date Seized	Receipt #	Amount	Date of Forfeiture
2010-73167	Larry Woods, Jr.	8/3/11	25304	\$352.00	4/2/12
2011-44480	Steven Stout	10/27/11	25511	\$691.00	3/26/12
TOTAL				\$1,043.00	

Transfer from Sheriff-Seized Fund (123-000-139) \$1,043.00
 Transfer to Sheriff-Forfeiture Fund (120-000-238) \$1,043.00

d. Inventory Dispositions: Final

(1.) Planning Commission

ASSET #	DESCRIPTION	SERIAL #	REASON FOR DISPOSAL	LOCATION AT PRELIMINARY
31426	HP PRINTER	SMY23519108	LOST / AFFIDAVIT	UNKNOWN
32570	VIEWSONIC 15" MONITOR	910024803644	LOST / AFFIDAVIT	UNKNOWN
32571	VIEWSONIC 15" MONITOR	910024804404	LOST / AFFIDAVIT	UNKNOWN

(2.) Coroner

ASSET #	DESCRIPTION	SERIAL #	REASON FOR DISPOSAL	LOCATION AT PRELIMINARY
38168	SAMSUNG CELL PHONE	RPMZ351554J	LOST/STOLEN AFFIDAVIT	UNKNOWN

6. Establish as Part of the Formal Record and Enter into the Minutes

- a. Program Agreement and Project Order for Inspection of Designate Bridges in DeSoto County for Fiscal Year 2012**
- b. Interlocal Agreement and Supporting Resolution for DeSoto County to Maintain Public Roads and Provide Certain Engineering Services on Behalf of the Town of Walls**
- c. Villages of Hawks' Crossing – Letter of Agreement**

7. Board Attorney

- a. Consideration of revised Jail Commissary Agreement-This item tabled**
- b. Memorandum of Understanding between DeSoto and Tate Counties for Road Maintenance on a portion of County Line Road**

8. Department of Road Management

- a. Road Report**
- b. Work Schedule**
- c. Road Bond Report**
- d. Additions to Official Road Map & Register**

9. Office of Procurement

- a. Request to Accept and Approve Bid Specification and Solicit Bids**

(1.) Polyethylene Culverts

(2.) Vending Services for Various DeSoto County Buildings

b. Department of Human Resources: Request to Accept and Approve Bid Specifications for Various Personnel Services

10. Chancery Clerk Allowance (2) \$1,550.00 \$1,350.00

11. Annual Financial Report: Constable Elizabeth Medlin

12. Authorization to Sign Purchase Requisitions: Planning Department

a. Addition of Planning Director Ted Garrod

b. Removal of Gina Tynan

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

H. OLD BUSINESS

1. Financing Agreement for Countywide Telephone System

County Administrator Michael Garriga presented a proposal for financing the new countywide telephone system. At the previous meeting a proposal for a lease purchase arrangement through BancorpSouth was presented to the Board and there were concerns expressed with the cost of financing the system. Mr. Garriga said there were questions regarding not only the financing charges of 2.09% in connection with the lease purchase arrangement but it also required a tax exemption letter with an estimated cost of \$7,500. Mr. Garriga explained he and Chief Financial Officer Tom Arnold worked on an in-house financing plan in light of those concerns to maximize savings for the taxpayers of DeSoto County.

He asked the Board of Supervisors to consider funding the telephone system through unobligated cash within the 002 fund which has a current balance of \$4,582,039.00. Mr. Garriga said Fund 303 was created for the purposes of interfund loan in the amount of \$425,000.00 which would finance the costs for the telephone system. The money to repay the interfund loan would be transferred from the IT Budget over a period of five years, the same terms of the proposed lease purchase agreement. The savings associated with the interfund loan as opposed to bank financing would be as much as \$27,500 in interest charges and \$7,500.00 for the legal services for the tax exemption letter.

Supervisor Jessie Medlin said he supported the projected savings that would be achieved through the interfund loan.

Mr. Garriga said the Department of Information Technology budgets roughly \$185,000.00 for current phone services and \$15,000.00 in maintenance agreements on the various phone systems throughout the County buildings and the new county-wide system should net a savings of \$7,000-\$7,500 per month. He said collectively, they would take the \$7,500.00 per month and repay the interfund loan (Fund 303) over the five year period.

Supervisor Mark Gardner said he appreciated Mr. Garriga and Mr. Arnold developing a well-conceived financing plan.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve the financing the countywide telephone system through an interfund loan of \$425,000 from the 002 Fund into the 303 Fund and to authorize the phone system to be paid for from the 303 account and to authorize IT Director John Mitchell to sign requisitions for the fund with cost of the system to be repaid from the IT Budget over a five year period.

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.1

I. NEW BUSINESS

1. American Heart Association: Heart Walk

Supervisor Mark Gardner introduced Gay Smith of the American Heart Association. Supervisor Gardner said he invited Ms. Smith to discuss the American Heart Walk in DeSoto County because it is such an important health initiative.

Ms. Smith said 32% of the deaths in DeSoto County are from heart disease. The American Heart Association is working to create awareness about the disease. Ms. Smith invited the entire County to participate in the Heart Walk on October 13, at Snowden Grove and begins at 9:00 a.m. There will be a Fall Festival afterwards.

Supervisor Jessie Medlin suggested attaching a flyer about the Heart Walk to the county employee paycheck.

Human Resources Director Janna Rogers said, in addition, the American Heart Association would be invited to participate in the County employee Health Fair to be held in June.

No action was taken on this item.

2. Mississippi State Extension Service: Introduction of Agriculture Agent

Director of the Extension Service, Joy Anderson said the position for the Agriculture Agent formerly held by Art Smith has been filled. Ms. Anderson introduced Dan Haire and said today his is first day on the job and they are very pleased to have him as the new Ag Agent.

The Board of Supervisors welcomed Mr. Haire to DeSoto County and no action was taken on this item.

3. Election Commission

a. Election Day Recap

Election Commissioner Paul Beale presented a recap of the last election day of the Republican and Democratic Primary. Mr. Beale said the update is to make the Board aware of any issues or information regarding each election location. The details of the report are presented in Exhibit I.3.

Supervisor Lee Caldwell said it was good to hear what is happening throughout the County so that issues may be corrected for future elections.

The Board discussed the process of picking up signs after elections and other Election Day issues that occurred.

Supervisor Mark Gardner suggested consolidating polling places and integrating the city and county polling places when possible. He said it would help alleviate confusion for the voters. Mr. Beale said that has been looked at in the past and would look at it again. He said the problem is lines in the County precincts are not the same as municipal lines.

Election Commissioner Danny Kline said DeSoto County has the least number of precincts in the state. Mr. Kline said DeSoto County precincts average 2,326 voters. He said Hinds County has 150,000 registered voters and 110 polling places. Harrison County has 96,000 registered voters and 73 polling places.

The Election Commissioners discussed the light voter turnout at non-Presidential elections and said there is 70% participation during Presidential Elections. They said they try to accommodate voters as much as possible so they will be more likely to come to vote.

b. Request to Relocate Polling Place – Fairhaven

Election Commissioner Paul Beale recommended moving the Fairhaven Polling place located at 10947 Highway 178 in one room of the Olive Branch Food Pantry to the Seventh Day Adventist Church at 10449 College Road. He said parking is more adequate at the church and the building is much more accommodating than the Food Pantry.

Supervisor Jessie Medlin said voters complained at last year’s election about the inadequate accommodations at the Food Pantry and parking. Supervisor Medlin said this polling place is at the entrance at the barn for Road Maintenance and there is truck traffic daily. He said the City of Olive Branch has a precinct in that building also and they may want to move their precinct.

Mr. Beale said a ramp needs to be built in the back of the Adventist Church to accommodate ADA accessibility. The building is ADA accessible but the voting area itself would be ADA accessible with the ramp entering through the existing ADA entrance. There is more parking at the church than at Fairhaven.

Mr. Beale presented a handout describing the benefits of having the polling place located at the Seventh Day Adventist Church on College Road.

Board Attorney Tony Nowak said it is legal to make the improvement to the Church, tsince the County is using the building as a polling place, and provided the improvements are limited to the needs of the polling place and not intended to benefit the Church.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve an order to move the Fairhaven Precinct from the Olive Branch Food Pantry/Nichols Community Building to the Seventh Day Adventist Church located at 10449 College Road, approve a Facility Use Agreement with the Seventh Dad Advent Church and authorize the submission to the Department of Justice requesting the change.

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 I.3

4. Office of Finance & Accounting

a. Inventory Control Dispositions

(1.) Preliminary: Chancery Court Reporters

(2.) Preliminary and Final: EMA/Civil Defense

Inventory Char McCool recommended approval of an inventory disposition of an HP Notebook that is non-repairable from the Chancery Court Reporters office.

As an addition to the Agenda, Ms. McCool presented a disposal for six generators for EMA/Civil Defense that were purchased on a grant but installed in each city.

At the recommendation of Inventory Clerk Char McCool, Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve the inventory dispositions pursuant to Section 31-7-107 of the Mississippi Code and did approve the dispositions on the report as noted on Exhibit I.4.a.(1).(2.) as follows:

ASSET #	DESCRIPTION	SERIAL #	REASON FOR DISPOSAL	LOCATION AT PRELIMINARY
42005	HP Notebook	5CB12049GZ	Non-repairable	Inv Control Ofc
ASSET #	DESCRIPTION	SERIAL #	REASON FOR DISPOSAL	LOCATION AT PRELIMINARY
40488	GENERATOR 175KW	CAT00000CC9E01781	INTERLOCAL AGREEMENT	BRAYBOURNE WWT FACILITY
40491	GENERATOR 150KW	CAT00C66JN6D01342	INTERLOCAL AGREEMENT	HERNANADO FD #3
40492	GENERATOR 150KW	CAT00C66JN6D01343	INTERLOCAL AGREEMENT	OLIVE BRANCH MTNC SHOP
40493	GENERATOR 150KW	CAT00C66JN6D01344	INTERLOCAL AGREEMENT	SOUTHAVEN PUBLIC WORKS
40494	GENERATOR 150KW	CAT00C66CN6D01366	INTERLOCAL AGREEMENT	HORN LAKE PUBLIC WORKS
40495	GENERATOR 150KW	CAT00C66JN6D01346	INTERLOCAL AGREEMENT	SHORTFORK WWT FACILITY

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 I.4.a.(1).(2.)

b. Claims Docket

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

Supervisor Mark Gardner asked about the claim on page 88 for Fred Randall. Mr. Arnold said he is from LeFlore County and works on a Homeland Security Regional Task Force in connection with a grant received by the County from the Department of Homeland Security.

Supervisor Gardner asked about the claim on page 89 to SKD Tactical. Mr. Arnold explained that this is a grant and the purchase was for bullet proof vests. Supervisor Gardner asked about the claim on page 110 for the Olive Branch Food Pantry and if the repairs were completed. County Administrator Michael Garriga explained how the costs for the project were handled and said the money is within budget and the project is almost complete.

Supervisor Gardner pointed out that the \$506,000 to the Convention and Visitors Bureau as part of the tourism tax is a large amount. He said, according to the report, that amount continues to grow.

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 Mark Gardner 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. Office of Procurement

a. Bid Under Protest - Administration Building Flooring Project

Procurement Clerk Vanessa Lynchard presented information about a protest received in connection with Bid File number 12-151-002 for replacement flooring in the Administration Building. Ms. Lynchard said a bidder pulled a bid packet and asked questions about the bid, but never submitted an offer. This company has protested the bid on the basis that the County only received one bid. She presented information shown as Exhibit I.5.a, which explained the county's authority to accept a bid when only one bid is received.

The Board of Supervisors said it appeared the company, Doyle Dickerson Terrazzo, Inc., knew about the bid and had opportunity to submit a bid.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to acknowledge the protest to Bid File Number 12-151-002 from Mr. David C. Piggot with LEED-AP, BD & C, 6914 Orr Road, Charlotte, NC, 28213 and to affirm the response to the bid protest and to make the protest and response part of the minutes.

The motion passed by a vote as follows:

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

See Exhibit I.5.a

b. Bids Under Advise ment

(1.) Pest Control

Procurement Director Vanessa Lynchard presented pest control bids for all DeSoto County facilities as follows:

BID TABULATION											
Pest Control Services		Bid # 12-151-004									
Bid Opening: 2:00 p.m.		Bid Date: 03/23/12									
Facility Name	Facility Address	Proven Pest Management		Stroupe Pest Control, Co., LLC		North Mississippi Pest Control, Inc.		Rogers Entomological Service		Orkin, Inc.	
		Monthly	Yearly	Monthly	Yearly	Monthly	Yearly	Monthly	Yearly	Monthly	Yearly
DeSoto County Courthouse	2535 Highway 51 S.	\$ 138.12	\$ 1,657.44	\$ 40.00	\$ 480.00	\$ 160.00	\$ 1,920.00	\$ 75.00	\$ 900.00	\$ 35.00	\$ 420.00
Sheriff's Department & Jail a. Kitchen treated weekly b. Kitchen fogged monthly c. Chases and Pods/Cells treated monthly	311 West South Street	\$ 333.27	\$ 3,999.24	\$ 610.00	\$ 7,320.00	\$ 800.00	\$ 9,600.00	\$ 275.00	\$ 3,300.00	\$ 800.00	\$ 9,600.00
Sheriff's Department Annex Forensic Center & e Storage Pods used for food storage for the jail kitchen inside and outside	2615 Panola Street	\$ 4.70	\$ 56.40	\$ 25.00	\$ 300.00	No Bid	No Bid	\$ 32.00	\$ 384.00	\$ 60.00	\$ 720.00
Region 4 Children	2725 Hwy. 51 S.	\$ 20.40	\$ 244.80	\$ 25.00	\$ 300.00	\$ 30.00	\$ 360.00	\$ 40.00	\$ 480.00	\$ 35.00	\$ 420.00
Agriculture Building	3260 Highway 51 S.	\$ 24.95	\$ 299.40	\$ 25.00	\$ 300.00	\$ 40.00	\$ 480.00	\$ 40.00	\$ 480.00	\$ 35.00	\$ 420.00
DHS Building/4 Offices, Suites 1,2,3,4	3246 Highway 51 S.	\$ 56.18	\$ 674.16	\$ 25.00	\$ 300.00	\$ 60.00	\$ 720.00	\$ 65.00	\$ 780.00	\$ 35.00	\$ 420.00
DeSoto County Administration Bldg.	365 Loshier Street	\$ 139.20	\$ 1,670.40	\$ 40.00	\$ 480.00	\$ 120.00	\$ 1,440.00	\$ 80.00	\$ 960.00	\$ 35.00	\$ 420.00
District Barn #4	5467 Baldwin Road	\$ 9.26	\$ 111.12	\$ 25.00	\$ 300.00	\$ 20.00	\$ 240.00	\$ 32.00	\$ 384.00	\$ 35.00	\$ 420.00
Eudora EMS, Station #6	9341 Hwy. 304 W.	\$ 21.09	\$ 253.08	\$ 25.00	\$ 300.00	\$ 30.00	\$ 360.00	\$ 40.00	\$ 480.00	\$ 35.00	\$ 420.00
SID Complex/4 Buildings	3410 Old Hwy. 51	\$ 128.19	\$ 1,538.28	\$ 100.00	\$ 1,200.00	\$ 60.00	\$ 720.00	\$ 32.00	\$ 384.00	\$ 35.00	\$ 420.00
1 st Regional Library	370 W. Commerce St.	\$ 87.00	\$ 1,044.00	\$ 35.00	\$ 420.00	\$ 60.00	\$ 720.00	\$ 50.00	\$ 600.00	\$ 35.00	\$ 420.00
Sheriff Aviation	2805 Railroad Ave.	\$ 2.09	\$ 25.08	\$ 25.00	\$ 300.00	\$ 30.00	\$ 360.00	\$ 25.00	\$ 300.00	\$ 35.00	\$ 420.00
DeSoto County New Jail Facility (Future Bldg.)	3410 Magnolia Drive	Not Calculated	Not Calculated	No Bid	No Bid	Not Calculated	Not Calculated	No Bid	No Bid	Not Calculated	Not Calculated
Economic Assistance	3210 Hwy. 51 S.	\$ 33.17	\$ 398.04	\$ 30.00	\$ 360.00	\$ 30.00	\$ 360.00	\$ 60.00	\$ 720.00	\$ 35.00	\$ 420.00
Health Department	3212 Hwy. 51 S.	\$ 23.93	\$ 287.16	\$ 25.00	\$ 300.00	\$ 30.00	\$ 360.00	\$ 40.00	\$ 480.00	\$ 35.00	\$ 420.00
Region 4 Adult	2705 Hwy. 51 S.	\$ 27.12	\$ 325.44	\$ 25.00	\$ 300.00	\$ 30.00	\$ 360.00	\$ 45.00	\$ 540.00	\$ 35.00	\$ 420.00
Olive Branch Food Pantry, District Barn #1	10947 Old Hwy. 78	\$ 13.05	\$ 156.60	\$ 40.00	\$ 480.00	\$ 30.00	\$ 360.00	\$ 40.00	\$ 480.00	\$ 35.00	\$ 420.00
Maxwell Community Bldg. Health Dept., Drivers License	6569 Cockrum Rd.	\$ 16.68	\$ 200.16	\$ 25.00	\$ 300.00	\$ 30.00	\$ 360.00	\$ 45.00	\$ 540.00	\$ 35.00	\$ 420.00
Olive Branch Tax Collector	6597 B. J. Chain Dr.	\$ 8.70	\$ 104.40	\$ 25.00	\$ 300.00	\$ 30.00	\$ 360.00	\$ 32.00	\$ 384.00	\$ 35.00	\$ 420.00
Library	6619 Cockrum Rd.	\$ 53.38	\$ 640.56	\$ 30.00	\$ 360.00	\$ 60.00	\$ 720.00	\$ 60.00	\$ 720.00	\$ 35.00	\$ 420.00
Ability Works	8480 Sandidge Rd.	\$ 92.05	\$ 1,104.60	\$ 35.00	\$ 420.00	\$ 60.00	\$ 720.00	\$ 50.00	\$ 600.00	\$ 35.00	\$ 420.00
Lewisburg Fire Department	8771 Byhalia Rd.	\$ 29.00	\$ 348.00	\$ 30.00	\$ 360.00	\$ 30.00	\$ 360.00	\$ 60.00	\$ 720.00	\$ 35.00	\$ 420.00
Southaven Justice Court, Justice Court Annex & Tax Collector	8525 Hwy. 51 S.	\$ 58.00	\$ 696.00	\$ 35.00	\$ 420.00	\$ 70.00	\$ 840.00	\$ 50.00	\$ 600.00	\$ 35.00	\$ 420.00
Southaven Senior Citizens Building	1280 Brookhaven Dr.	\$ 8.16	\$ 97.92	\$ 25.00	\$ 300.00	\$ 30.00	\$ 360.00	\$ 25.00	\$ 300.00	\$ 35.00	\$ 420.00
Southaven Health Department	8705 Northwest Dr.	\$ 20.88	\$ 250.56	\$ 25.00	\$ 300.00	\$ 40.00	\$ 480.00	\$ 40.00	\$ 480.00	\$ 35.00	\$ 420.00
DeSoto County Central Maintenance (Office Bldg.)	2339 Gwynn Rd.	\$ 20.49	\$ 245.88	\$ 25.00	\$ 300.00	\$ 30.00	\$ 360.00	\$ 40.00	\$ 480.00	\$ 35.00	\$ 420.00
DeSoto County Animal Shelter (Located Behind Central Maintenance Shop)	1251 Humane Way	\$ 27.70	\$ 332.40	\$ 25.00	\$ 300.00	\$ 80.00	\$ 960.00	\$ 40.00	\$ 480.00	\$ 35.00	\$ 420.00
Emergency Management Services	830 Old Hwy. 51	\$ 58.00	\$ 696.00	\$ 30.00	\$ 360.00	\$ 40.00	\$ 480.00	\$ 60.00	\$ 720.00	\$ 35.00	\$ 420.00
Road Department Shop	2373 Gwynn Rd.	\$ 12.33	\$ 147.96	\$ 25.00	\$ 300.00	\$ 30.00	\$ 360.00	\$ 32.00	\$ 384.00	\$ 35.00	\$ 420.00
DeSoto 911	1040 Starlanding Rd.	\$ 9.04	\$ 108.48	\$ 25.00	\$ 300.00	\$ 30.00	\$ 360.00	\$ 32.00	\$ 384.00	\$ 35.00	\$ 420.00
Delta View District 3	5700 Delta View 7181 Delta Bluff Parkway	\$ 6.96	\$ 83.52	\$ 25.00	\$ 300.00	\$ 30.00	\$ 360.00	\$ 25.00	\$ 300.00	\$ 35.00	\$ 420.00
Walls Library/Community Center	58.00	\$ 696.00	\$ 30.00	\$ 360.00	\$ 50.00	\$ 600.00	\$ 60.00	\$ 720.00	\$ 35.00	\$ 420.00	
Walls EMS, Station #9	6085 Highway 161	\$ 16.50	\$ 198.00	\$ 25.00	\$ 300.00	\$ 50.00	\$ 600.00	No Bid	No Bid	\$ 35.00	\$ 420.00
ACI Fire & Senior Citizen Facility	10145 Holly Springs Rd.	\$ 15.44	\$ 185.28	\$ 25.00	\$ 300.00	\$ 30.00	\$ 360.00	\$ 40.00	\$ 480.00	\$ 35.00	\$ 420.00
TOTAL		\$ 1,573.03	\$ 18,876.36	\$ 1,585.00	\$ 19,020.00	\$ 2,250.00	\$ 27,000.00	\$ 1,662.00	\$ 19,944.00	\$ 1,945.00	\$ 23,340.00
BUDGET IMPACT:	FY 2011 Pricing	\$12,216.00	FY 2012 Pricing	\$18,876.36	Difference	\$6,660.36	% Difference	54.52%	Increase		

Ms. Lynchard explained that the current vendor was not the low bidder on this quote. She said there are five vendor responses this time and three bids are less than \$100 apart and it is good to have several bidders.

Ms. Lynchard recommended Proven Pest Management for pest control for County facilities. She said there have been a few issues in the past in various areas and those were being addressed in the new bid specifications. She said the Jail and Animal Shelter have had many issues with pest control in their facilities. Ms. Lynchard said in addition, the Jail uses outside storage units for canned goods and other items. These units are now included on this bid. She said it has been several years since bids were solicited for this service. Ms. Lynchard said essentially, a higher level of service was requested in the bid specifications to help eliminate problems in all areas. It also includes the new SID facility. Ms. Lynchard said Proven Pest Management has serviced other jails and animal shelters and are very aware of the issues with those types of facilities.

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to approve the recommendation of the bid for Proven Pest Management for pest control for county facilities.

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 I.5.b.(1.)

(2.) Sand and Gravel

Ms. Lynchard said this is a re-bid for sand and gravel. She said it is good to have several bidders. She said this bid is divided into three categories as required by the State Audit Department. It is difficult to get a true bid for this item because the hauling cost is not always the same due to it being used in different areas of the County. Ms. Lynchard said this bid reflects a 7.26% decrease based on using the same amount as last year.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to approve the recommendation of the bid for sand and gravel for county facilities as presented for the Road Department as follows:

BID TABULATION COMPARISON			
Equipment: Annual Bid Sand & Gravel		Bid File Number: 12-156-018	
Bid Opening: 2:00 P.M.		Bid Opening Date: February 16, 2012	
Designated Area	Quantity	Total Spent FY11	Budget Impact FY12
Area A			Based on FY11 Usage
Raw Gravel	14,000	\$ 29,400.00	\$ 34,300.00
Clay Based Gravel (est)	8,000	\$ 49,000.00	\$ 39,200.00
Sand Based Gravel			
Pit Run Sand			
Washed Sand	1,250	\$ 7,125.00	\$ 7,125.00
Washed Pea Gravel			
Washed Oversize Rock			
Fill Dirt			
Area B			
Raw Gravel	9,100	\$ 40,040.00	\$ 44,590.00
Clay Based Gravel (est)	6,167	\$ 33,300.00	\$ 30,216.67
Sand Based Gravel			
Pit Run Sand			
Washed Sand			
Washed Pea Gravel (est)			
Washed Oversize Rock			
Fill Dirt			
Area C			
Raw Gravel	5,217	\$ 21,008.00	\$ 20,868.00
Clay Based Gravel	6,167	\$ 33,300.00	\$ 33,300.00
Sand Based Gravel			
Pit Run Sand			
Washed Sand			
Washed Pea Gravel			
Washed Oversize Rock			
Fill Dirt	2,600	\$ 12,825.00	No Bid
TOTAL		\$ 225,998.00	\$ 209,599.67
Budget Impact		-7.26%	decrease
Does not include haul cost			
Estimates based on FY11 Usage			

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 I.b.(2.)

6. Contracts Administration

a. Renewal: EMS Agreement with NWCC

Board Attorney Tony Nowak said there has been an agreement in place for several years with Northwest Community College to allow paramedic students to train in DeSoto County Ambulances. The old agreement expired and a new agreement has been prepared, which was presented for consideration.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to authorize the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to draft a contract renewal between the County and Northwest Community College to allow EMS to use the student 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>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit I.6.a

b. Approval:

(1.) Adult Drug Court: Secon Laboratories

Ms. Lynchard said that Adult Drug Court has been using Secon Laboratory for ankle bracelets and it is time to approve the Letter of Agreement for renewal of services.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to approve the Letter of Agreement for renewal of services with Secon Laboratories for drug specimen testing.

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

See Exhibit I.6.b.(1.)

(2.) GIS Agreement with ESRI (Software)

At the recommendation of Contracts Administration, Supervisor Harvey Lee made the motion and Supervisor Bill Russell seconded the motion to approve the GIS software agreement with ESRI.

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

See Exhibit I.6.b.(2.)

(3.) Brite’s Lawn Care Solution

Ms. Lynchard explained that the bid for lawn care services for the SID Jail property was awarded to Brite’s Lawn Care. She said the bid allowed subcontractors to work on the property, but the contract required the subcontract agreement to be specifically approved by the Board of Supervisors. Ms. Lynchard said she is presenting that agreement to the Board today.

Supervisor Mark Gardner asked if it could be required that Brite’s employees have a background check to show that they are legally here in this country.

Board Attorney Tony Nowak said the County can request a background check for subcontractors entering County property as a condition to approving a request by the contractor for use of a subcontractor.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve the Letter of Approval for subcontractor Brite’s Lawn Care Solutions contingent on background checks and verification of legal residence status.

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

See Exhibit I.6.b.(3.)

7. Board Attorney

a. DeSoto County Convention and Visitor’s Bureau – Upcoming CVB Board Appointments

Board Attorney Tony Nowak advised the Board of three upcoming vacancies on the Convention and Visitors Bureau Board (CVB). Mr. Nowak said they are Mr. Max L. May, District 4, Mr. Chuck Roberts, District 5 and Mr. Charles Tackett, Economic Council. Mr. Nowak said the expiration of those terms is May 15, 2012 and would need to be on the May 7, 2012 meeting agenda for consideration.

b. Authorization to Draft Reciprocal Agreements for the Animal Shelter with Municipalities

County Administrator Michael Garriga said at the last Council of Governments meeting there was a discussion about reciprocal agreements at the DeSoto County Animal Shelter. He said the municipalities felt that reciprocal agreements would be in the best interest of all jurisdictions.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to allow the Smith, Phillips, Mitchell, Scott and Nowak Law Firm, to draft reciprocal agreements between DeSoto County and the municipalities for all animal shelters to assist each other in case of an emergency.

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. Final Approval of Lease Agreements for Office Space with the City of Hernando (Gale Center)

(1.) Adult Drug Court

(2.) Election Commission

(3.) North Delta Planning and Development District

County Administrator Michael Garriga said the lease agreements with the City of Hernando for office space at the Gale Center have expired. Mr. Garriga presented the Adult Drug Court lease at \$1,200.00 per month for 1,148 square feet, and the Election Commission lease which is approximately 1,700 square feet, at \$1,500.00 per month.

Mr. Garriga said the North Delta Planning and Development District had communicated to him they are in need more office space. However, he said they are a separate entity and there is no reason the County should continue to pay their rent for their office space.

Mr. Garriga recommended renewing the lease agreements for the Adult Drug Court and the Election Commission and for North Delta Planning and Development District to assume the lease from the County for office space at the Gale Center with the City of Hernando.

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to renew the proposed lease agreements with the City of Hernando for office space at the Gale Center for Adult Drug Court lease at \$1200.00 per month for 1,148 square feet and the Election Commission lease which is approximately 1,700 square feet, at \$1,500.00 per month as further described in Exhibit I.6.c.(2.) and for the Board President to sign the lease agreement.

The motion passed by a vote as follows:

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

See Exhibit I.c.(2.)

d. Interlocal Agreement with Horn Lake Creek Interceptor Sewer Basin District to Purchase Materials from County

Board Attorney Tony Nowak said this lease agreement allows the Horn Lake Creek Interceptor Sewer Basin District to make purchases off of the County contracts.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to authorize the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to draft a new Interlocal Agreement to allow the Horn Lake Creek Interceptor Sewer Basin District to purchase materials off the County contracts.

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 I.7.d

8. Department of Road Management: 4030 Los Padres Drive

Road Manager Russell Dorris said the Road Department was contacted by a homeowner at 4030 Los Padres Drive regarding a drainage issue that might affect the health, safety and welfare of the public. Mr. Dorris presented pictures which indicated a natural drain where there was no jeopardy to the public health, safety and welfare as defined by Mississippi Code section 19-5-92.

At the recommendation of the Road Manager, Supervisor Harvey Lee made the motion and Supervisor Bill Russell seconded the motion to deny the request at 4030 Los Padres Drive for assistance on a drainage issue.

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 I.8

9. Tax Collector’s Office: Refund Request

Tax Collector Joey Treadway said in the 2006 Tax Sale, the 2005 taxes were sold to Delores Ferguson for parcel number 2084-1700.0-00003.02 and eventually applied for a deed. Mr. Treadway said the landowners came back to claim the property and took the tax sale to court. He said the MS Supreme Court reversed the tax sale and consequently, Delores Ferguson is entitled to \$2,427.34 for reimbursement. Mr. Nowak said the County could then rebill the property owners to bring their taxes up to date.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to approve a refund to Delores Ferguson for taxes paid on parcel number 2084-1700.0-00003.02 in the amount of \$2,427.34 based upon the order vacating the tax sale.

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 I.9

10. 11:30 a.m. – Tax Exemptions

Jim Flanagan, President and CEO of the DeSoto Economic Development Council, appeared before the Board of Supervisors introducing companies wishing to discuss tax incentives.

a. ITT

Mr. Flanagan introduced Tim Moore and said they are seeking a ten year real property tax exemption. He said ITT is currently located in DeSoto County and they have outgrown the

building. Mr. Flanagan said ITT is expanding and needs to acquire more property. The building next to them has been vacant for some time and was retrofitted by the new owner to serve ITT.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve a ten year real property tax exemption for U.S. Industrial Reit II based on ITT occupying the building after having determined it was a new enterprise service and there have been significant improvements and retrofits by the owner in order to make it suitable for ITT.

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 I.10.a

b. Kimberly Clark

Tim Moore representing Teacher Insurance and Annuity Association of America explained that his company has retrofitted a building for use by Kimberly Clark and the improvements have just been completed. Mr. Moore said they are a long term tenant.

Board Attorney Tony Nowak said the number of upgrades allows the Board of Supervisors to determine this to be considered as a new enterprise. Kimberly Clark is consolidating from other locations into this building.

Supervisor Lee Caldwell asked how many employees are from DeSoto County. Mr. Wayne Morton of Kimberly Clark said about 30% live in Mississippi. He said his company said they are continuing to hire Mississippi residents. Mr. Morton said they are hiring a few new employees for the new building. He said they are starting an employee search to include DeSoto County.

Supervisor Bill Russell asked who are the Teachers Insurance and Annuity Association of America. Mr. Moore said they are the property owners and they retrofitted the building.

Supervisor Jessie Medlin said the Board appreciated Kimberly Clark consolidating businesses to DeSoto County.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve a ten year real property tax exemption for Teachers Insurance and Annuity Association of America after determining they are considered a new enterprise based on retrofits they made to the building and after considering the jobs that Kimberly Clark will bring to DeSoto County.

The motion passed by a vote as follows:

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

See Exhibit I.10.b

c. Anda Pharmaceuticals

Tim Moore of Mammoth Real Estate Investment Corporation appeared before the Board representing Anda Pharmaceuticals. He said this year they completed the building with Anda in mind. He said this is the third building in the Industrial Park and it is 25,000 square feet.

Mr. Moore explained that there are 65 full time employees and the starting salary is \$26,000 to \$28,000 with benefits. He said they have hired twenty three people and the next group of 20 employees starts today. Mr. Moore said Anda serves mostly independent pharmacies. They hope to be completely relocated to DeSoto County and out of Ohio by June.

Supervisor Jessie Medlin said the Board of Supervisors appreciated Anda Pharmaceuticals being located in DeSoto County.

Supervisor Lee Caldwell said the Board also appreciated Anda Pharmaceuticals hiring DeSoto County residents when possible. Tony Ichalek of Anda said they offer great benefits, offer a good wage and they are excited about moving to DeSoto County.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve a ten year Real Property Ad Valorem tax exemption for Anda Pharmaceuticals based upon finding the application is for new business enterprise.

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 I.10.c

J. PLANNING COMMISSION AGENDA

NEW BUSINESS

Minor Lots

District 1

Davis Farms Minor Lot (6845) – Application is for final subdivision approval of one (1) lot of 1 acre, one (1) lot of 2 acres, one (1) lot of 8.11 acres, and one (1) lot of 10.18 acres out of 21.29 acres. Subject property is located on the west side of Langston Road and south of Leavell Road in Section 33, Township 3, Range 5 and is zoned Agricultural (A). (District 1)

Ms. Tynan stated the Planning Commission voted to table the Davis Farm Minor Lot application until their meeting of May 3, 2012. The application will be placed on the Board of Supervisors agenda once the Planning Commission has made a recommendation on this application.

Supervisor Medlin made a Motion to hold the Davis Farm Minor Lot application over until a future meeting of the Board of Supervisor after the Planning Commission has made their recommendation. 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>

District 4

Chris Henry Minor Lot (6840) – Application is for final subdivision approval of one (1) lot of 6.86 acres and one (1) lot of 13.28 acres out of 20.14 acres. Subject property is located on the south side of Pine Tree Loop and east of Tulane Road in Section 3, Township 3, Range 8 and is zoned Agricultural (A). (District 4)

Ms. Tynan presented the Chris Henry Minor Lot application for final subdivision approval of one (1) lot of 6.86 acres and one (1) lot of 13.28 acres out of 20.14 acres. She stated the 6.86 acre lot has been transferred to Mr. Henry's ownership by deed and the applicant is now requesting a lot approval.

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

Supervisor Caldwell made a Motion to approve the Chris Henry Minor Lot subject to right-of-way dedication and Health Department approval. 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>

Final Subdivision

Hidden View Subdivision, First Revision (6846) – Application is for final subdivision approval of a revision to the Hidden View Subdivision plat (#6618) to amend the property line between Lots 14 and 15. Subject property is located on the south side of Jem Street and south of Lester Road in Section 28, Township 2, Range 7 and is zoned Agricultural-Residential (A-R). (District 5)

Ms. Tynan presented the application for final subdivision approval of a revision to the Hidden View Subdivision plat (#6618) to amend the property line between Lots 14 and 15. She stated most of the lots in the subdivision are still owned by the developer. Ms. Tynan stated the adjustment to the lot line between Lots 14 and 15 is needed to address an accessory building built on the lot line between Lots 14 and 15. She then stated there will be no change in the number of lots. She stated staff asked the applicant to notify the City of Southaven that the lot line is changing due to a lift station currently located on Lot 15.

Supervisor Medlin asked if there is an approved road going to the lift station. Mr. Ted Garrod, Planning Director, stated the lift station is located along Jem Street.

Ms. Tynan stated the location of the lift station was not included on the first recorded plat for Hidden View Subdivision, but will be included on the plat for Hidden View Subdivision, First Revision.

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

Supervisor Lee made a Motion to approve the application for Hidden View Subdivision, First Revision. 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>

Other Items:

1. **Scrivener's Error: Robinson Crossing Subdivision street name clarification**

Ms. Tynan stated this is a request to revise the plat for Robinson Crossing Subdivision to rename Robinson Crossing Cove as Robinson Loop East. She stated the street was named Robinson Crossing Cove on the original plat, but homes on this street were addressed Robinson Loop East. Ms. Tynan stated since there are several homes already built on the road it would be easier to change the name of the road on the plat.

Supervisor Lee made a Motion to approve the Scrivener's Error, to change Robinson Crossing Cove to Robinson Loop East on the Robinson Crossing Phase 2 Subdivision Plat in Section 11, Township 2, and Range 8 recorded in Plat Book 104, pages 18 and 19. 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>	

2. Update: I-69/I-269 International Trade Corridor Study

Ms. Tynan stated the Steering Committee for the I-69/I-269 International Trade Corridor Study met with the Consultants for two and a half hours on Thursday March 29, 2012 for a brain storming session. She stated the meeting went really well and the Consultants plan to return on May 4, 2012 to go over the information gathered at the brain storming session.

Supervisor Medlin asked what the anticipated completion date for the I-69/I-269 International Trade Corridor Study. Ms. Tynan stated the Planning Office hopes to have the final document ready for review and adoption by the end of the year.

3. Request for Building Permit Fee Refund – David McCoy

Ms. Tynan presented a request for building permit refund from Mr. David McCoy in the amount of \$117. She stated Mr. McCoy revised his house plans which resulted in a decrease in the total square footage. As permit fees are based upon the square footage of the home, the applicant is requesting the difference in permit fee between is original \$748 and the final fee of \$631.

Supervisor Medlin made a Motion to approve a permit fee refund in the amount of \$117 to Mr. David McCoy. 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>

K. EXECUTIVE SESSION

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

L. OTHER ISSUES

1. Adult Drug Court - ADAPS

A the recommendation of the County Administrator, Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the memorandum of understanding

between DeSoto County Drug Court ADAPS for bracelet monitoring services in Adult Drug Court.

The motion passed by a vote as follows:

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

See Exhibit L.1

2. Justice Court – Pitney Bowes

Supervisor Harvey Lee made the motion and Supervisor Bill Russell seconded the motion to approve the continuation of the rental contract with Pitney Bowes for the postage machine in Justice Court.

The motion passed by a vote as follows:

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

Supervisor Mark Gardner made the motion to recess the Board meeting until April 16, 2012 at 9:00 a.m. The motion was seconded the motion by Supervisor Harvey Lee.

The motion passed by a vote as follows:

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

THIS the 2ND day of April 2012, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Jessie Medlin, President
DeSoto County Board of Supervisors