

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

DISTRICT ONE JESSIE MEDLIN, PRESIDING

September 24, 2012

A. CALL TO ORDER

The September 24, 2012 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie Medlin, Board President.

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

Supervisor Jessie Medlin	District 1
Supervisor Mark Gardner	District 2
Supervisor Bill Russell	District 3
Supervisor Lee Caldwell	District 4
Supervisor Harvey Lee	District 5
Sheriff Bill Rasco	Sheriff
W. E. Sluggo Davis	Chancery Clerk
Vanessa Lynchard	County Administrator
Tony Nowak	Board Attorney

B. INVOCATION

Supervisor Mark Gardner presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. CITIZEN REMARKS

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

No one from the audience came forward.

1. Extension Service – Introduction of New Office Associate: Tish Self

Director of the Extension Service Joy Anderson thanked the Board of Supervisors for their continued support and introduced the new office Associate Tish Self. Ms. Anderson said Ms. Self would be a great asset to the Extension Service bringing excellent organizational skills in addition to speaking Spanish. She said Ms. Self is from Batesville, MS.

Supervisor Jessie Medlin asked if this position is new or a replacement. Ms. Anderson said Ms. Self is replacing Kim Daniels. She said the position is primarily the 4-H secretary, answers phones and other tasks as needed, but 4-H is the main focus.

Ms. Self said she is very pleased to be working for the Extension Service.

2. Win Job Center

Human Resources Director Janna Rogers introduced Mr. John Eaton of the WIN Job Center and said he has been there for two months. Mr. Rogers is a resident of Walnut, Ms. and is a Navy Veteran. He has an Associate's Degree from Northwest Community College.

Mr. Eaton said he has been with MDES for 20 years and was the former local Veteran's Employment

Representative. He said he is appearing today to discuss the process for the County employees whose positions are being outsourced.

Mr. Eaton thanked the Board and said everyone he has worked with in DeSoto County the past two months has been nice and kind and made the transition for him a pleasure.

Mr. Eaton said the Job Center provides training to help people find jobs that will help people get on their feet. He said the Center provides a GED program and they also work with Northwest Community College. Mr. Eaton said in the past, the WIN Job Center has not had a lot of visibility and he wants to change that and also do a better job of providing for employers as well as the people in DeSoto County.

Mr. Eaton said there are programs for on the job training where the employer pays part of the salary. He said he is here to try and assist people and he likes helping people. He said he will do all he can to assist anyone in this County as well as assisting the industries of the County.

Mr. Eaton said he grew up in Walnut and his Father was a minister. He said that the Board of Education Superintendent for DeSoto County schools, Milton Kuykendall is his cousin. He said he hopes to make them proud of the work he will do at the WIN Job Center.

Ms. Rogers said that the Job Center was helpful with the County employees who were recently displaced by the outsourcing of housekeeping positions. She presented an outplacement program packet that was given to the employees to assist in their job search. Ms. Rogers said she worked with Mr. Eaton and Kim at South Group DeSoto Insurance Services and they were very helpful with this process.

Ms. Rogers said of the eight employees, one employee is retiring, three employees decided to stay home and not work, and one received a job offer but declined, one was promoted within the County, one went to work for the Sheriff's Office and one employee went to work for the cleaning company hired by the County, ATS.

Ms. Rogers told the Board that the WIN Job Center Governors Fair is scheduled for October 9th. Mr. Eaton said there were 63 employers and over 3,000 applicants last year. He said they hope to meet that number if not exceed it this year. He said it is from 9-2 at the Lander's Center. He said he wants WIN to be successful and change the visibility so that people will see WIN as an agency that wants to help.

See Exhibit D.2

3. Resolution of Appreciation – Barry Carter, Handicap Compliance Grievance Committee

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to postpone this item until October 1st.

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 D.3

E. APPROVAL OF AGENDA AND DELETIONS

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

1. Road Department Andy Swims requested the following:

a. Requesting authorization to work with Board Attorney on Release Agreement for County Repairs

- b. Consideration for a possible item for Executive Session for Personnel regarding hiring**
- 2. Sheriff Bill Rasco request requested adding the Board President to sign the bill to pay MDOC for inmate fees**
- 3. Supervisor Bill Russell asked to add discussion about treatment plants**
- 4. Supervisor Bill Russell requested adding the following items:**
 - a. Acceptance of the plaque and flag in honor of 9-11 by the Woodsmen of the World**
 - b. Supervisor Bill Russell requested to add vacancies on the Board of Trustees for Northwest Mississippi Community College**
 - c. Supervisor Bill Russell requested to add authorizing the Board Attorney to look into interlocal agreements and ordinances for the possibility for the County to assist Walls with law enforcement**
- 5. Board Attorney Tony Nowak requested adding hiring him to do training for the Sheriff's Department**
- 6. County Administrator Vanessa Lynchard requested adding:**
 - a. Discussion of a previous claims docket item regarding DHS**
 - b. Consideration for a possible item for Executive Session regarding Personnel, DCRUA**
 - c. Introduction of Response Team for Hurricane Issac-EMA**
- 7. Supervisor Lee Caldwell requested adding the following items:**
 - a. Project Fit America**
 - b. DeSoto County Foundation for Excellence**
- 8. Supervisor Mark Gardner requested adding Park Funds for the City of Olive Branch-Ivy Trails**
- 9. Chancery Clerk Sluggo Davis requested Board of Supervisor Signatures on documents for the Tax Rolls that were approved on August 24, 2012**

Supervisor made Jessie Medlin the motion and Supervisor Harvey Lee seconded the motion to approve the additions to the Agenda.

The motion passed by a vote as follows:

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

- 1. Road Department Andy Swims requested the following:**
 - a. Requesting authorization to work with Board Attorney on Release Policy for County Repairs**

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm, to work with County Road Manager Andy Swims to prepare a release agreement for residents to sign when the County completes authorized repairs on private property. The agreement will release the County from erosion issues arising from the property owner not maintaining the disturbed area.

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. Consideration for a possible item for Executive Session for Personnel regarding hiring

See Executive Session, Road Department - Personnel

2. Sheriff Bill Rasco request requested authorizing the Board President to sign documents from MDOC for State inmate housing reimbursements.

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to approve the Board President to sign the documents for State reimbursement for inmate housing.

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. Supervisor Bill Russell asked to add discussion about treatment plants

Supervisor Bill Russell said he talked to Randy Williams Chief Building Inspector and there are concerns from residents regarding treatment plants. He said there is no accountability or record-keeping for making sure the plants are proper and legal and environmentally safe.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to approve authorizing County Administrator Vanessa Lynchard to write a letter requesting specific informational listings from the State Health Department for all treatment systems in DeSoto County.

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>

4. Supervisor Bill Russell requested adding the following items:

a. Acceptance of the plaque and flag in honor of 9-11 by the Woodsmen of the World

Supervisor Bill Russell presented a plaque and flag received from the Woodsmen of the World in honor of 9-11 and asked that it be placed in the Court’s yard.

b. Supervisor Bill Russell requested to add vacancies on the Board of Trustees for Northwest Mississippi Community College

Supervisor Jessie Medlin asked if there were nominations for appointees to the Board of Trustees for Northwest Mississippi Community College.

Supervisor Mark Gardner nominated Dr. Robert Smith as the appointee to replace Mr. Sparks.

Supervisor Lee Caldwell said Dr. Smith is an Alumni in the late 1990's and is very loyal to the foundation.

Supervisor Bill Russell said he would like to nominate Mr. N.C. Ferguson, Jr.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve Dr. Robert Smith as the appointee to replace Mr. Sparks on the Northwest Mississippi Community College Board of Trustees.

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 Medlin said he would like for the Board to do something for Mr. Sparks to show their appreciation.

c. Supervisor Bill Russell requested to add authorizing the Board Attorney to look into interlocal agreements and ordinances for the possibility for the County to assist Walls with law enforcement

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to research the possibilities of entering into an interlocal agreement for the County assisting Walls with law enforcement activities.

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. Board Attorney Tony Nowak requested adding hiring him to do training for the Sheriff's Department

Mr. Nowak said that twice a year, he has taught four hour classes on Jail Training for the DeSoto County Sheriff's Department and he requested approval to provide the training. Mr. Nowak said the cost for providing the training is \$500.00.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to authorize the Board Attorney to teach a four hour training class at the Sheriff's Department at a cost of \$500.00.

The motion passed by a vote as follows:

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

6. County Administrator Vanessa Lynchard requested adding the following:

a. Discussion of a previous claims docket item regarding DHS

Ms. Lynchard said that Supervisor Mark Gardner questioned the high expenditure for DHS on the last claims docket and requested that she get justification from DHS. She said she did contact DHS

and they did send a letter of response. Vanessa said the response was generally that most county funds were reimbursed by the State.

Supervisor Lee Caldwell said we did request they appear before the Board to meet with them. She said it is taxpayer money no matter which level of government it comes from.

Supervisor Jessie Medlin said although the County is only paying a portion, it is still our tax money. He said they like to order certain types of toilet tissue and premium supplies, and he does not think it is the County's obligation to provide them with more expensive supplies.

Board Attorney Tony Nowak said the County is obligated to provide only office space and certain necessary supplies.

The Board discussed the fact that they asked DHS to appear and they did not. They also discussed that the supplies have already been delivered and the fairness to the vendor by not approving to pay the claim.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to deny paying these claims for DHS and to request DHS to appear at the October 1, 2012 Board meeting to explain the claims on the docket.

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>NO</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

Supervisor Russell and Supervisor Medlin both said their dissent was because they did not want to penalize the vendor for the DHS issue.

See Exhibit E.6.a

b. Consideration for a possible item Executive Session for regarding Personnel, DCRUA

See Executive Session, DCRUA - Personnel

c. Introduction of Response Team for Hurricane Isaac-EMA

Chief Bobby Storey said that Homeland Security Task Force One teamed with Homeland Security Task Force Two to respond to Hurricane Isaac and assist with rescuing victims who were impacted by the flooding.

Chief Storey explained the process of calling the cities to get one or two people and then follow up every 3 days to replace them. He said the total number trained is 62.

Chief Storey said these guys leave their families and put their lives on the line to save other lives. Chief Storey said he thanked each one of them from the bottom of his heart on behalf of DeSoto County and the State of Mississippi. Chief Storey introduced the Team as follows:

Mr. Ben McMinn – Hernando Fire Department Swift Water Technician

Mr. Jason Booker who was in charge of the Team – Olive Branch Fire Department Swift Water Technician/Team Leader

Mr. Josh Harper – Horn Lake Fire Department Swift Water Technician

Mr. Wayne Terry – Olive Branch Fire Department Swift Water Technician/Team Leader

Mr. Carleton Rowland – Hernando Fire Department Water Rescue

Mr. Jason Booker spoke on behalf of the Team and thanked Chief Storey and all his team for providing proper training, necessary equipment and support to enable them to assist others in time of need. He said without them they could not do what they do.

Supervisor Mark Gardner said there were 49 swift water rescues along with pets. Supervisor Gardner said the EMA Directors from the Coast sent commendations as well.

Supervisor Jessie Medlin thanked the Team, and said he appreciated their taking time away from their families to help others.

Sheriff Bill Rasco said the general public does not know what these Team members go through or what law enforcement goes through every day to protect and help the public and he appreciates everything they do.

Supervisor Harvey Lee thanked the Team for being willing to put their lives in danger.

Supervisor Medlin asked that pictures be taken of the Board with the Rescue Team.

See Exhibit E.6.b

7. Supervisor Lee Caldwell requested adding the following items:

a. Project Fit America

Supervisor Lee Caldwell said that Hernando Middle School is sponsoring Project Fit America on Wednesday, September 26th at 10:00 a.m. and handed out the invitation to the Board of Supervisors.

See Exhibit E.7.a

b. DeSoto County Foundation for Excellence

Supervisor Lee Caldwell said the DeSoto County Foundation for Excellence has received 400 entries for scholarships. She said the event will be held Friday, September 28th at 4:00 p.m.

8. Supervisor Mark Gardner requested adding Park Funds for the City of Olive Branch-Ivy Trails

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to allocate \$17,500 from the District 2 Park Funds to the City of Olive Branch Parks for the walking trail at Ivy Trails.

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>

9. Chancery Clerk Sluggo Davis requested Board of Supervisor Signatures on documents for the Tax Rolls that were approved on August 24, 2012

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve each member of the Board of Supervisors to sign documents for the 2012 Tax Rolls previously approved by the Board of Supervisors.

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

YES
YES
YES

See Exhibit E.9

F. CONSENT AGENDA

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

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

1. Office of Finance & Accounting

a. Budget Amendments – Detailed in Exhibit F

b. Sheriff’s Office Carry-over FY 2013 Budget for vehicle purchase that could not be completed this fiscal year

We have a request from the Sheriff’s Office to carry over a line item to the 2013 budget for a vehicle purchase that could not be completed this fiscal year. The line item is 001-202-915 and the Sheriff has asked to carry over \$25,000 for the purchase of a vehicle for a K-9 officer. If it can be ordered in early October we can get the 2012 state contract price which should be less than the 2013 price, which will save the county money.

c. Approval for Transfer of Road Department vehicle purchase that could not be completed this fiscal year

Transfer of 2000 Crown Victoria from Road Department to the Sheriff’s Department for use by a School Resource Officer and transfer \$1,313 from the general fund to the road fund to cover the nominal amount.

See below for motion and vote on this item.

d. Inventory Control Dispositions – Final

1) Coroner

ASSET #	DESCRIPTION	SERIAL #	REASON FOR DISPOSAL	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	LOCATION OF FINAL DISPOSAL	DATE OF FINAL APPROVAL
4004	SF7320 COPIER	36614276	BROKEN	CORONER OFC	09/04/12	JEFFERY POUNDER	E-WASTE	09/24/12

2) Emergency Services

ASSET #	DESCRIPTION	SERIAL #	REASON FOR DISPOSAL	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	LOCATION OF FINAL DISPOSAL	DATE OF FINAL APPROVAL
30343	REALM PLUS VHF RADIO	C06038	BROKEN / NON-REPAIRABLE	TIM CURTIS OFC @ EMA	08/06/12	TIM CURTIS	E-WASTE	09/24/12
38215	KENWOOD HH RADIO	90300375	"	"	"	"	"	"
38209	KENWOOD HH RADIO	90200212	"	"	"	"	"	"
40125	KENWOOD HH RADIO	A9600485	"	"	"	"	"	"
34965	KENWOOD PORTABLE RADIO	B1701667	"	"	"	"	"	"

2. DeSoto County Administration Safety Report

3. Approval Order for new County Administrator Vanessa Lynchard, to sign all grant documents

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

a. ATT&T Corp. with the State of MS to provide services for long distance

5. Board Attorney: Approval of Agreements

- a. Northwest Community College Affiliation Agreement to provide clinical experience to students enrolled in certain programs including EMT Basic and Paramedic**
- b. Agreements for the Sheriff’s Department to Transfer Body Armor to the following:**

- 1) City of Leland**
- 2) Itawamba County**
- 3) Tate County**

6. Office of Procurement

a. Request to Accept and Approve Bid Specifications and Seek Bids

- 1) Annual Bid for Hot Mix Asphalt**
- 2) Annual Bid for Roadside Herbicides**
- 3) Annual Bid for Guardrails**
- 4) Annual Bid for Cement Treated Base**
- 5) Annual Bid for Slurry, Micro & Scrub Seal**
- 6) Annual Bid for Ready Mix Concrete**
- 7) Annual Bid for Corrugated Metal Culverts 8-48” /54-96”**

7. Department of Road Management: Safety Officers Report

8. Chancery Clerk Allowance (2) \$1,350.00 \$1,500.00

The motion to approve the Consent Agenda as listed passed by a vote as follows:

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

F.1.c. Approval for Transfer of Road Department vehicle purchase that could not be completed this fiscal year

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to Approve transferring a 2000 Crown Victoria from Road Department to the Sheriff’s Department for use by a School Resource Officer and transfer \$1,313 from the general fund to the road fund to cover the value of the vehicle.

The motion was passed by a vote as follows:

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

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to recess for lunch from 12:00 noon until 12:30 p.m.

The motion to approve the Consent Agenda as listed passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>

Supervisor Bill Russell, Third District YES
Supervisor Lee Caldwell, Fourth District YES
Supervisor Harvey Lee, Fifth District YES

See Exhibit F

G. OLD BUSINESS

1. Board Attorney

a. Firearms Ordinance for Greenways and Parks

Board Attorney Tony Nowak said the Board previously discussed a firearms ordinance for Greenways in the County.

The Board of Supervisors discussed items in the proposed ordinance including fines, easements and special activities and events that would permit firearm use. The Board agreed that all items met the requirements and that the ordinance was ready to present to the public.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to hold a Public Hearing on October 15, 2012 at 10:00 a.m. for the Firearms Ordinance for Greenways and Parks.

The motion passed by a vote as follows:

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

See Exhibit G.1.a

b. Order of Appointments for the Recreational District

Board Attorney Tony Nowak said the Board discussed organizing recreational districts. Mr. Nowak presented the Order of Appointments for the Recreational District. He said the role of the district is an advisory role with the Board of Supervisors being the final authority. The commissioners of the district will be required to be bonded.

The Board of Supervisors discussed the financial structure and to what extent they would control the budget and funding aspects of the district. Mr. Nowak said that the district would have to follow the same purchasing guidelines as all other government agencies, but the Board might want to think ahead about expenditures.

Mr. Nowak said that once the appointments are made, the next step is to find out how to proceed with the Board Attorney attending the meetings. He said that when his office is represented at a Planning Commission meeting and other meetings, there is a flat rate of \$550 per month. He said that fee takes care of attending meetings and answering ancillary issues that pertain to that agency/district etc. More involved legal services are billed at the County's hourly rate.

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to represent the Recreational District at its monthly meetings at a cost of \$550 per month.

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

The Board of Supervisors agreed that they do want all purchases to have prior approval by the Board. Ms. Lynchard said that a provision could be in the order to put a zero amount and a provision of policy by phone for emergencies.

Ms. Lynchard said that Chief Financial Officer Tom Arnold has a great process in place for managing all bonds. She said she has a good feeling that they are always in place and accurate.

Supervisor Bill Russell made the motion and Supervisor Harvey Lee made the motion to approve adopting the Order of Appointments for the Recreational District, authorize Chief Financial Officer Tom Arnold to secure Bonds for members and include members as listed with purchasing guidelines.

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 Bill Russell asked if current Park Fund dollars could be carried over. Mr. Arnold said yes.

Mr. Nowak confirmed that the Recreational District Board is fully run by the Board of Supervisors.

See Exhibit G.1.b

c. Order to Dissolve the Parks Commission

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to dissolve the Parks Commission.

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.c

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to approve moving \$22,275.14 from the District 3 Park Fund to the newly created Recreational District and then to allocate \$5,000 to Robertson Donald Park for repairs to a fence and for new dugout; \$4,000 to Horn Lake Parks Association; \$4,000 to the City of Southaven Parks; and to keep \$9,275.14 in the Recreational District Fund.

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>

Later in the meeting, Supervisor Lee Caldwell said there needed to be a correction on the fund amount of \$15,493 in the District 4 Park Fund. She said there is only \$5,493 and this needs to be allocated to the Starlanding Park project. The other \$10,000 has already been allocated to the Horn Lake ROTC.

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve an allocation in the amount of \$818 from the District 5 Park Fund to the Hernando Civic Center.

The motion passed by a vote as follows:

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

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve moving the park funds into a separate fund until the Board can meet to discuss.

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. Road Department

a. Re-bid of crew cab trucks

Andy Swims said the Board asked him to bring back information on the 10 trucks that need to be replaced. The Board discussed the information and confirmed that the trucks are in poor conditions and need to be replaced. Mr. Swims said he plans to rotate the trucks in the future instead of having to replace them all at one time.

Mr. Swims presented bid 12-156-035 for re-bidding for one or more ¾ ton crew cab pick-up trucks as follows:

Name of Bidder	Make/Model of Unit	Delivery Date	Bid Price	Complys with all Specifications
Country Ford 95 East Goodman Road Southaven, MS 38671	2013 Ford F-250 (W 2B)	45 Days	\$26,359.38	Yes
Homer Skelton Ford 6950 Hanna Cove Olive Branch, MS 38654				Yes
Sam Swope Auto Group, LLC 2740 Whitten Road Suite 120 Memphis, TN 38133	2013 Dodge Crew Cab LWB DJ7L92	90 To 120 Days	\$23,999.15	No

Recommendation: **Country Ford**

Sam Swope Auto Group does not meet specs and is an out of state dealer

The Board discussed gas versus diesel and Mr. Swims confirmed the trucks that were bid are gas. They also discussed the functionality of ½ ton versus ¾ ton trucks. Jimmy Cox with the Road Department explained that ¾ ton trucks met the needs of the road crew much better and would increase the life of the truck. He said it is too much work on a ½ ton truck to do the work they do. Supervisor Mark Gardner said he would like to see more information in the future on purchasing diesel trucks.

At the recommendation of the Road Manager, Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve the bid with Country Ford in connection with bid number 12-156-035 as the lowest and best bid.

The motion passed by a vote as follows:

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

See Exhibit G.2.a

b. Update – Beaver Control

Road Manager Andy Swims said presented four alternatives for handling beaver control in the County as follows: 1) Beaver Control Assistance Program (BCAP) 2) Mississippi Soil and Water Conservation Commission Beaver Control Program 3) Private Contract for Beaver Control 4) Employment with dual duties for Environmental Services.

The Board briefly discussed the options and Mr. Swims reminded the Board that the BCAP program did not result in much of a cost savings. Mr. Swims recommended hiring an employee to work as a wildlife control officer and to fulfill some of the needs in Environmental Services. He said there is one person who has shown interest and has worked in beaver control for the County and others in the past. Mr. Swims said there are some details to be worked out but he thought this was the best option to take.

No motions were made nor votes taken on this item.

See Exhibit G.2.b

H. NEW BUSINESS

1. Public Hearing: 10:00 a.m. Tax Increment Finance Revenue Bonds (TIF)

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to open the Public Hearing for the Tax Increment Finance Revenue Bonds (TIF).

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>

Laurence Leyenes, Economic Development Specialist for Urban Planning Consultants, appeared before the Board of Supervisors regarding building a Hotel in the City of Hernando. Mr. Leyenes said the hotel would be a four story Hampton Inn and would be located on McIngvale Road near I-55. He described the Hampton Inn and discussed the value it would add to Hernando. In addition, it would draw visitors to restaurants, shopping and events that are held in the city.

Mr. Leyenes said the general scope of the TIF plan proposes that the City of Hernando would be the lead agency and would pledge 100% of their incremental tax dollars derived from the hotel to debt service. In addition, the County would pledge 50% of their incremental taxes derived from the hotel to debt service. The total amount of Financing Revenue Bonds or Notes was not to exceed \$400,000. The tax financing dollars would provide funding for various public infrastructure improvements in connection with the Project. Mr. Leyenes said there would be an incremental tax increase of approximately \$90,000. Of the bond funds \$265,000 is to be used as reimbursement to the developer. He said that the developer would not receive any funds until the project was placed on the tax roll with the County. He also noted that the commitment of the County would not affect the County bond rating.

The Board discussed some details of the hotel as well as parking. Mr. Leyenes said this Hampton

Inn would be a green hotel and they are offering commuter parking that will be managed by the hotel. This would be the first green hotel in the State of Mississippi.

Supervisor Lee Caldwell said that would also help air quality and give people a secure place to park vehicles. She asked if this would affect school millage. Mr. Leyenes said no, school millage cannot be used for the debt service.

Board Attorney Tony Nowak confirmed the bond is for 15 years and the County was only pledging 50% of the incremental tax revenue derived from the project.

The Board requested that Hampton Inn to hire local residents. Mr. Leyenes said they do usually hire locally. They will hire about 25-35 people and expect approximately 125 guests per night. It will also bring 50-75 construction jobs which will use local labor.

Supervisor Jessie Medlin asked if there was anyone from the audience who wished to speak regarding the TIF program. No one came forward.

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell 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>

Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to approve and adopt the resolution approving the TIF program, along with the TIF plan referenced in the resolution, each as presented in connection with the construction of a Hampton Inn in the City of Hernando on McIngvale Road near I-55.

The motion passed by a vote as follows:

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

See Exhibit H.1

2. Office of Procurement: Bids Under Advisement

a. Mosquito Control Chemicals

Procurement Clerk Karen McNeil said they are recommending accepting the lowest bid per item on the Mosquito Control Chemicals.

Karen presented the bids for bid number 12-156-033 as follows:

PRODUCT	GIL MANUFACTURING INC. Alternate - Yes Piggyback - Yes	ELITE MOSQUITO CONTROL Yes to Alternate Yes to Piggyback	ADAPCO, INC. No to Alternate Yes to Piggyback	UNIVAR USA Yes to Alternate Yes to Piggyback	CLARKE MOSQUITO CONTROL PRODUCTS, INC. No to Alternate Yes to Piggyback	
Biomist 2+2 (55 gallon drum)	\$20.90/gal Omega Mist ULV	\$19.00/gal Envion (minimum order 4 drum)	\$19.97/gal PermX UL 4-4 double strength	\$17.73/gal Kontrol 4-4	\$24.00/gal Biomist 4 + 4	
	55 gallons	\$20.00 Evoleur 4-4 or Prentiss 44, Kontrol (minimum order 4 drums)	Twice the strength of a 2-2 concentrate (no minimum)	(no minimum)	(no minimum)	
Mosquitomist One ULV (55 gallon drum)	\$37.00/per gal Pyrifos One Mist ULV E.C.	\$58.00/gal Pyrofos 1.5 ULV	\$34.89/gal Pyrofos 1.5 ULV	\$33.94/gal Pyrofos 1.5ULV	\$42.00/gal Mosquitomist One	*ALTERNATE ITEM \$45.00/gal Mosquitomist Two
	(no minimum)	(minimum 4 drum order)	(no minimum)	(no minimum)	(no minimum)	
(275 gallon tote)	\$37.00 per gal	\$54.00/gal	\$34.89/gal (275 gal tote)	\$33.94/gal Pyrofos 1.5ULV	\$47.62/gal	
	(minimum order 1 tote)	(no minimum)	(no minimum)	(no minimum)	(no minimum)	
Vectolex CG (10 oz./800 packs per case)	No Bid	Vectolex CG \$800.00 per case (minimum order 4 cases)	\$700.04 cs Spheratax WSP	No Bid	\$942.05/cs Vectolex WSP	
			(no minimum)		(no minimum)	
B.t.i. Briquets (100 per case)	\$80.00/case Summitt Mosquito Dunks	\$95.00/case Summit Briquets (100 case minimum) Alternate: \$630.00 Altosid XR packed 200 per case (no minimum)	\$79.85/cs	\$69.00	\$89.00/case	
	(no minimum)	(no minimum)	(no minimum)	(no minimum)	(no minimum)	
Recommendation: Award by lowest bidder per item.						
ITEM	LOW BIDDER	FIRST ALTERNATE	SECOND ALTERNATE			
Biomist 2+2/ 55 gal drum	Univar	Elite Mosquito Contro	Gil Manufacturing			
Mosquitomist One ULV/55 gal drum	Univar	Gil Manufacturing	Elite Mosquito Control			
Mosquitomist One ULV/275 gal tote	Univar	Gil Manufacturing	Elite Mosquito Control			
Vectolex CG 10 oz/800 packs	Adapco	Elite Mosquito Contro	None			
B.t.i. Briquets	Univar	Gil Manufacturing	None			

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve the recommendation of Procurement for award to be for lowest bidder price per item.

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.2a

b. Sheriff's Department – Aviation: Sale of Aviation Fuel

Sheriff Bill Rasco explained that the helicopter they just sold was the only one that used this particular type of fuel and they no longer have use for it.

At the recommendation of Sheriff Bill Rasco, and in accordance with Mississippi code section 17-25-25, Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve a one-time sale 150 gallons of helicopter fuel to Tunica Helicopter Touring for the amount of \$750 and to advertise balance of fuel for 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 H.2.b

3. Office of Finance and Accounting

a. Grants Administration

(1.) Accept Waste Tire Disposal Grant from MDEQ

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve accepting the Waste Tire Disposal Grant from MDEQ as presented by the Grants Administrator Tom Haysley in the amount of \$35,000 for two years and expiring on December 31, 2014.

The motion passed by a vote as follows:

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

See Exhibit H.3.a.(1.)

(2.) Accept Homeland Security Grants

a.) Task Force

b.) Regional Response

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to accept the Homeland Security Grants for Task Force (\$116,000) and Regional Response Grant (\$29,500) for annual EMA fund training cost with no match obligation.

The motion passed by a vote as follows:

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

See Exhibit H.3.a.(2.) a,b

(3.) Approval to Apply for UASI funds to purchase a Multipurpose Amphibious Vehicle

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve the Grants Administrator to apply for the Homeland Security via Shelby County TN., USAI Grant for the purchase of a Multipurpose Amphibious Vehicle in an amount up to \$97,500 for use by

Emergency Services and the Sheriff's Office.

The motion passed by a vote as follows:

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

See Exhibit H.3.a.(3.)

(4.) Homeland Security Contract between DeSoto County, MS Regional Task Force and Fred Randle to provide services

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve renewing contract for the Homeland Security Task Force Protection Coordinator, Fred Randle, who provide services and training as detailed in Exhibit H.3.a.(4.).

The motion passed by a vote as follows:

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

See Exhibit H.3.a.(4.)

b. Inventory Dispositions – Preliminary

At the recommendation of Inventory Clerk Char McCool, Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve the preliminary dispositions as follows:

1.) Facilities Management

ASSET #	DESCRIPTION	SERIAL #	REASON FOR DISPOSAL	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE
34115	VISION CAMERA	0307082	BROKEN	INV CNTRL CLERK OFC	09/24/12
39733	PELCO DOME CAMERA	AAFKK64	BROKEN	"	"

2.) Sheriff's Department (2)

ASSET #	DESCRIPTION	SERIAL #	REASON FOR DISPOSAL	LOCATION AT PRELIMINARY
38703	FORD CROWN VIC 2006	2FHAP71W16X131593	Auction	Sheriff Dept.

ASSET #	DESCRIPTION	SERIAL #	REASON FOR DISPOSAL	LOCATION AT PRELIMINARY
34682	ACERPOWER PC	PSP370600663708AF22700	BROKEN	SHERIFF DEPT
34980	LIFEPAK 500 DEFIBRILLATOR	35003674	BROKEN	SHERIFF DEPT
35060	SECURITY BUNDLE ROUTER	FTX114214A	BROKEN	SHERIFF DEPT
36423	HP 1610 PRINTER	MY56RD319M	BROKEN	SHERIFF DEPT
37148	LENOVO NOTEBOOK	L3CG934	BROKEN	SHERIFF DEPT
38064	ACERPOWER PC	64207DC72701	BROKEN	SHERIFF DEPT
38341	HP PRINTER	CN74P2T041	BROKEN	SHERIFF DEPT
38403	ACER 22 MONITOR	ETL840B01874500EED3920	BROKEN	SHERIFF DEPT
38443	ACER 20" LCD MONITOR	ETL640C17250098504054	BROKEN	SHERIFF DEPT
38751	VIEWSONIC 22" MONITOR	QYY084951216	BROKEN	SHERIFF DEPT

The motion passed by a vote as follows:

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

See Exhibit H.3.b.(1)(2)

c. Supplemental Claims Docket

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

Supervisor Jessie Medlin-page14 – He said the water bill for Lewisburg is high and asked Mr. Arnold to check on it.

Supervisor Harvey Lee-page 92- He confirmed how the legislatures rebate on taxes goes to the state and refund comes back to the County.

Supervisor Mark Gardner;

Page 5 for chairs. County Administrator Vanessa Lynchard said the Tax Assessor’s Office was using chairs that were purchased when this building was first built and they were completely worn out. Mrs. Lynchard said she did look at the chairs and they bought six new ones.

Page 21 for Facilities Management in the amount of \$2,040 for air conditioning. Mr. Arnold said it is for the IT room at the Justice Court Complex. The room has to be kept cool for the computer system and network.

Page 45 for batteries for Best Janitor Supplies. Sheriff Rasco said this was for batteries for buffers used on the floors at the jail.

Page 62 to Broadway Construction. Mr. Arnold said this was for demolition, mowing and cleanup of a property located on Centerhill Road.

Page 65 for \$1,300 for service on a vehicle. Mrs. Lynchard said this was for the Animal Services vehicle and that they will keep for another year. It is very old.

Page 98 for \$4,800 for workers compensation. Mr. Arnold said this was for Harris Madden & Powell, Insurance for the Road Department employees worker comp.

Page 86 for the Olive Branch Volunteer Fire Department. Mr. Arnold said this was tax rebate funds on the Old Summers Hill Fire Department that was taken over by the City of Olive Branch.

Page 106- Jail Construction. Mr. Arnold explained this is for the new jail project which is coming to an end. They hope to move in by November 1st and may come in under budget.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to 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
Supervisor Harvey Lee, Fifth District

YES
YES

4. I-69/269 Corridor Study

Planning Director Ted Garrod talked about the process of contracts that are under grants for the I-69/269 Corridor Study and the continuation of the Study. Mr. Garrod said there are three more Public Hearings scheduled and 60 working days to complete the Study. He said former Deputy Planner Gina Tynan was very passionate about the Corridor Study and her new position in Shelby County relates to the Study as well. He said since Ms. Tynan is no longer with the County, there is a need for a knowledgeable person to do the work on the Study that Ms. Tynan was doing. He said there was an option to contract with Ms. Tynan at the hourly rate to hire as consultant at approximately \$150 per hour. He said the other option is to immediately fill the position in-house immediately.

At the recommendation of the Planning Director, Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to accept option two to fill the position in-house immediately.

The motion passed by a vote as follows:

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

YES
YES
YES
YES
YES

5. Broadband Study

County Administrator Vanessa Lynchard said the County is partnering with the School District to do a survey to find areas in the County that are not served with internet service and areas that are under served and the service currently being used and information on prices for service.

Supervisor Lee Caldwell said we see high speed internet as important as our Roads. She said they will use maps to identify areas that are not covered.

Ms. Lynchard said the SEC is taking a new stand on Broadband. She said they can look at underserved areas and bid it out.

Supervisor Mark Gardner said that different providers asked that the information be kept proprietary. After sharing the information, that makes it no longer confidential. The survey will help identify where the lines stop and GIS can plot it on the map. We are hoping for 1,000 surveys.

Supervisor Jessie Medlin asked if companies have to be approved through the Public Service Commission.

Supervisor Gardner said yes, in regards to television but the Public Service Commission is not involved with the internet, or satellite TV.

The Board discussed the lines and companies that are currently available in DeSoto County.

Supervisor Lee discussed how the schools would be assisting with the surveys within the schools and sending information home with the children. She said surveys are being sent to churches to be distributed with church bulletins, placed in libraries, country stores, Fire Departments, Youth Leadership students and others as well.

Supervisor Medlin said it would be good if they could lay the conduit while they are building I-69.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to declare the month of October Survey Month for Broadband.

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

6. Contracts Administration

a. New Contracts

(1.) Facilities Management – Cummins Mid-South Maintenance Agreement

At the recommendation of the County Administrator, Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the new planned maintenance agreement to do work on generators with Cummins Mid-South for Economic Assistance, Health Department, Juvenile Justice Center, Jail, Administration, Central Maintenance and Emergency Management.

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.(1)

(2.) Circuit Clerk – Official Payments service Agreement related to Delta Computers accepting online payments

At the recommendation of the County Administrator, Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the Official Payments Service Agreement related to Delta Computers for the Circuit Clerk’s Office to accept and process electronic payments subject to the Board Attorney’s revisions.

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.(1)

b. EMS Contract with Network Innovations Satellite Telephone Services for EMS Radios

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve the contract with recommended changes by the Board Attorney, with Network Innovations Satellite Telephone Services for Emergency Service radios in the EMS Department.

The motion passed by a vote as follows:

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

See Exhibit H.6.b

7. District 2 Park Fund – City of Olive Branch for Ivy Trails for a Walking Trail

Supervisor Mark Gardner said this item is already been heard.

8. District 4 Park Fund

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the following allocations for the District 4 Park Fund, each supporting a public park:

\$10,000	Eudora Tennis Court
\$2,000	Horn Lake Volleyball Court
\$2,500	Fence at Eudora
\$2,500	Nesbit for Picnic and Walking Trail
\$5,493	Starlanding 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>

9. Board Attorney: Agreement between the DeSoto County Sheriff’s Department and Region IV for psychological testing

At the recommendation of the Board Attorney, Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to meet with Region IV to negotiate a service contract, and to review and update the Sheriff’s personnel manual regarding psychological 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>ABSENT</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

10. Department of Road Management

a. Travel-MS Floodplain Manager Conference & Manager Meeting in Philadelphia, MS

At the recommendation of the Road Manager, Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to approve travel to Philadelphia, MS to attend the Mississippi Association of Floodplain Managers Fall Conference, October 28-31, 2012 in Philadelphia, 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>ABSENT</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.10.a

b. Approve Traffic Engineering Services Agreement - Smith Beckman Reid, Inc. (SSR)

Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to approve the Engineering Services Agreement with Smith Seckman Reid, Inc., (SSR) for professional traffic engineering services to be provided through December 31, 2015.

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>

See Exhibit H.10.b

c. Finding of Fact: 6696 Casey Cove, Ranch Meadows S/D - Additional damage

Road Manager Andy Swims said this is the third time there has been additional damage on this property causing health, safety and welfare issue for the citizens of DeSoto County.

At the recommendation of the Road Manager, Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion, that after a fact finding the damages on the property are a menace to the public health and safety of the community as outlined in Mississippi code section 19-5-105, to approve repairs at 6696 Casey Cove in Ranch Meadows Subdivision at an estimated cost up to \$1,310 to replace the drainage pipe as needed and to authorize Board Attorney to draw up a release to be signed by property owner once work is completed.

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.10.c

d. Request for reimbursement for Emergency Watershed Protection Project along Horn Lake Road at Horn Lake Creek - NRCS

At the recommendation of the Road Manager, Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to approve the Board President to sign the request for reimbursement from NRCS in the amount \$102,340 for completion of the Emergency Protection project along Horn Lake Road at 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 H.10.d

I. Planning Commission Agenda

**DeSoto County Board of Supervisors
Planning Agenda
September 24, 2012
10:00 a.m.**

PUBLIC HEARING

Supervisor Medlin 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>

Appeal

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

Mr. Garrod stated that with the change of the date of the Board of Supervisors meeting from September 17, 2012 to September 24, 2012, the appellant is unable to attend the hearing today and requested the Appeal be Continued until the October 1, 2012 meeting of the Board of Supervisors.

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

Supervisor Medlin made a Motion to continue the Public Hearing until the October 1, 2012 meeting at 9:00 a.m. 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>

Minor Lot

Bradley McIntosh Minor Lot (6853) – Application is for final subdivision approval of one (1) lot of 2.26 acres and one (1) lot of 1.5 acres out of 3.76 acres. Subject property is located at 7057 Dunn Lane on the south side of Dunn Lane and the east side of Craft Road in Section 17, Township 2, Range 8 and is zoned Agricultural-Residential (A-R). (District 5)

Mr. Garrod presented the application for Bradley McIntosh Minor Lot for final subdivision approval of one (1) lot of 2.26 acres and one (1) lot of 1.5 acres out of 3.76 acres and stated it appears to be in compliance with the County’s Zoning and Subdivision Ordinances, subject to right-of-way dedication and Health Department approval. He noted that the Planning Commission voted unanimously to recommend approval of these applications.

Supervisor Lee asked for clarification of the lot size and the access for both lots. Mr. Garrod stated Lot 1 will be 2.26 acres and Lot 2 will be 1.5 acres and that both lots have access on Dunn Lane.

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 Bradley McIntosh Minor Lot subject to required right-of-way dedication, if any, and Health Department approval. Supervisor Medlin seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>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>

Nesbit Fire Department Minor Lot (6855) – Application is for final subdivision approval of one (1) lot of 2.0 acres. Subject property is located at 3233 Nesbit Road on the south side of Nesbit Road and west of Tulane Road in Section 28, Township 2, Range 8 and is zoned Agricultural-Residential (A-R). (District 4)

Mr. Garrod presented the application for Nesbit Fire Department Minor Lot for final subdivision approval of one (1) lot of 2.0 acres and stated it appears to be in compliance with the County's Zoning and Subdivision Ordinances, subject to right-of-way dedication and Health Department approval. He noted that the Planning Commission voted unanimously to recommend approval of these applications.

Supervisor Gardner stated the developer of the adjoining future subdivision donated the land for the fire station. He then asked if any work has begun on the subdivision. Mr. Garrod stated no work has been started on the subdivision and that the subdivision has not been approved yet. Supervisor Gardner asked if the subdivision is not developed will the Nesbit Fire Department still want to locate on this site. Supervisor Caldwell stated that due to the development in the area the need for the fire department will still be there.

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 Nesbit Fire Department Minor Lot subject to required right-of-way dedication, if any, and Health Department approval. 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>

Final Subdivision

Lake Forest Commercial Subdivision, First Revision (Lot 3) (6854) – Application is for final subdivision approval of a revision to the Lake Forest Commercial Subdivision (#3685) to split Lot 3 into two lots. This revision would create one (1) lot of 3.86 acres (Lot 3) and one (1) lot of 1.12 acres (Lot 3A) out of 4.98 acres. Subject property is located on the north side of Goodman Road and west of Poplar Corner Road in Section 25, Township 1, Range 8 and is zoned Neighborhood Commercial (C-1). (District 3)

Mr. Garrod presented the application for final subdivision approval of a revision to the Lake Forest Commercial Subdivision (#3685) to split Lot 3 into two lots. He presented Mr. Ben Smith as being present to represent the application.

Mr. Ben Smith came forward and stated Mr. Sam Weir is requesting to simply divide Lot 3 into two lots. He stated Mr. Weir's intention is to build a Dollar General Store on the 1.12 acre lot and use the existing curb cuts.

Supervisor Russell asked if the lot he plans to build the Dollar General Store on is the lot beside the church. Mr. Smith confirmed his plan is to build the Dollar General Store on the lot beside the church. Mr. Smith went on to state that part of the parcel the church is located on is also zoned Commercial, and that the lot he is building the store on will be abutting the parcel where it is zoned Commercial.

Supervisor Russell stated he was of the opinion the Church as an affected party, but did not think the church had been notified of this application and that he would like to table this item until the October 1, 2012 meeting to allow planning staff to notify the church of the proposed subdivision revision.

Supervisor Russell made a Motion to continue the final subdivision of Lake Forest Commercial Subdivision, First Revision (Lot 3) until the October 1, 2012 meeting at 9:00 a.m. 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>

J. EXECUTIVE SESSION

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

K. Other Issues

1. Post Open County Position.

a. Justice Court

Supervisor Harvey Lee made the motion and Supervisor Bill Russell seconded the motion to approve posting the position for Deputy Director 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>

b. Grants Administrator

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve posting the position for Grants Administrator.

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. Wildlife Environmental Specialist.

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve posting the position for Wildlife Environmental Specialist.

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 YES
Supervisor Harvey Lee, Fifth District YES

Supervisor Jessie Medlin made the motion to adjourn the Board meeting until October 1, 2012 at 9:00 a.m. The motion was seconded by Supervisor Harvey Lee.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District 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

THIS the 24th day of September, 2012, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Jessie Medlin, President
DeSoto County Board of Supervisors