

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

DISTRICT FIVE SUPERVISOR MICHAEL LEE, Presiding at Opening

After Passing of the Gavel

DISTRICT TWO SUPERVISOR MARK GARDNER, Presiding

January 2, 2018

A. CALL TO ORDER

The January 2, 2018 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Michael Lee, Board President.

Sheriff Bill Rasco 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 Michael Lee	District 5
Sheriff Bill Rasco	Sheriff
Misty Heffner	Chancery Clerk
Vanessa Lynchard	County Administrator
Tony Nowak	Board Attorney

B. INVOCATION

Pastor Warren Richardson of Summit Church presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF DECEMBER MINUTES

Supervisor Lee asked if everyone had read over the December minutes.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to accept the minutes of the Board of Supervisors for December, 2017, as presented this date with changes to the draft minutes previously submitted by the Board Attorney, Tony Nowak; 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 Michael Lee, Fifth District	<u>YES</u>

See Exhibit D.

E. 8:30 A.M. - DRAFT ZONING ORDINANCE REVIEW

Mrs. Lynchard stated she, Planning Director, Bennie Hopkins, and Deputy Planning Director, Austin Cardosi, had met and come up with a presentation that would be more attainable. She stated the presentation today is just for definitions.

Mr. Hopkins stated, in an effort to enhance the County's ordinance, definitions are needed to help the County stay current with zoning ordinances across the state and country. He stated there a lot of definitions and information the Board will see throughout this process of creating a basic zoning ordinance. Mr. Hopkins said the County did not have a bad ordinance; it just needed some cleaning up and made more user-friendly. He stated the definitions are to define uses whether the County currently has those uses or not. He stated having clearly defined items helps them when someone is cited for an infraction and the case goes to court. The definitions discussed are as follows:

- Abandonment – Mr. Hopkins stated they may want to talk to Mr. Nowak concerning the actual number of days to consider. He stated they may correlate this with the Environmental Services office and the litter ordinance.
- Accessory Apartment – There was some discussion on using the term “detached”. Mr. Nowak stated the wording actually means the apartment is a dwelling unit that is part of a single detached home. Supervisor Russell stated that is not good language for laymen. Supervisor Medlin pointed out that most subdivision regulations only allow one home per lot, and that having the apartment within the home makes it less likely to be a rental unit. Mr. Cardosi stated they will clean up that language and bring it back to the Board.
- Accessory Structure – Mr. Hopkins stated they are taking out the language that the structure must have a similar architectural style, roof pitch and building materials. He said they also considered combining garage and storage buildings into this category. Supervisor Medlin asked what incidental and subordinate had to do with this definition. Mr. Cardosi stated they are trying to make sure they don't have two dwelling units on the same lot. He stated the main thing to change with the definition is to allow metal buildings that don't have the same architecture as the residence. Mr. Hopkins stated the language had to do with a tree house that was built in Clinton, MS in a front yard, and it was so elaborate the neighbors complained about it. Supervisor Medlin stated most of this would be controlled by Homeowners Associations (HOAs). Supervisor Lee stated they have recently had an issue involving two workshop structures that were built after being approved by the County, but the HOA did not approve of them. Mr. Hopkins stated his office does tell people they need to check their HOA rules. Supervisor Caldwell asked if the citizens had guidance as to putting structures in the side or back as well as setbacks. He stated the Planning Office issues permits based on the zoning ordinances of the County and according to setbacks. He stated homeowners have to get a variance to put a structure in their front yard.
- Accessory Use – Mr. Hopkins stated this is a new definition and they added some examples.
- Access Way – A rarely used definition, but defined in case of dispute.
- Adult Entertainment – Mr. Hopkins stated this will have to be addressed.
- Agricultural Use – Mr. Hopkins said this definition was not in the old ordinance. He stated they wanted to have a good definition as agricultural is a literal zoning, but it needed to be defined as to what would be allowed. Supervisor Medlin asked about existing uses. Mr. Hopkins stated those would be allowed to stay.
- Agricultural Structure – Mr. Hopkins stated they wanted to define the type of buildings allowed. He stated the Planning Office has seen some large arena-style buildings come in that have a home inside. Mr. Cardosi stated they need to look at the language carefully as sometimes the principle building on a property may be a barn. Mr. Nowak stated agricultural use does include the ability to have structures to store products and there is a difference in agricultural use and accessory agricultural use. Mr. Nowak said a structure is allowed under agricultural, but if there is a primary building on the same lot, a difference comes in. Supervisor Caldwell asked if there was a 100-acre parcel with 2 frontage roads, could the owner not have a fruit stand on each road? Mr. Cardosi stated they can change the definition to read differently for double frontage.
- Airpark, Residential - Mr. Hopkins stated they have had 2 or 3 requests for conditional use permits for airplane hangars in an airport community because they did not meet the zoning restrictions. He said they wanted to add language to cover those type communities. Mr. Cardosi stated they have also asked for a clear definition of commercial airport.
- Alley - Supervisor Russell asked if garage access should be added to the definition. Mr. Hopkins stated the term “loading” could refer to garages. He stated if it were a mixed-use location, this would cover more than garages. Mr. Hopkins said they could add the term “residential garages” to the definition.
- Alternative Financial Service Providers (AFSP) – Mr. Hopkins informed the Board that many places consider AFSPs conditional uses.
- Apartment – Mr. Hopkins stated they wanted to clearly define and see where the Board would want apartments to be located and if the Board wanted them to be conditional use. Supervisor

Medlin said he thought there was a moratorium on apartments. Mr. Nowak stated a moratorium is temporary in nature until a more permanent plan is formulated. Supervisor Medlin stated the issues have been infrastructure with volunteer fire departments and inadequate water supply. Mr. Hopkins pointed out there are some areas that are mixed-use type developments that allow for apartments on the top floor of businesses. Supervisor Russell stated this Board would like to restrict apartment complexes as much as legally possible. Mr. Nowak stated he will look into that.

- Arcade, Amusement – Mr. Hopkins stated the County did not have this definition and he asked the Board to think about if they wished to add it and where they would allow this activity.
- Arterial Street/Highway – Mr. Cardosi stated this definition was expanded from the previous one sentence definition.
- Automotive Maintenance Services – Minor & Major – Mr. Hopkins stated this would define the difference in the level of service. Supervisor Medlin asked if the County issued a license to allow people to work on other people’s cars at their home. Mr. Hopkins stated, depending on where it is; they would need a variance. He said the Board of Adjustment defines use, level of service, and a defined number of years on a variance. Supervisor Russell said he felt like the term “maintenance personnel” would allow for a hired person coming in and working on other people’s cars.

Supervisor Gardner stated he would like to set a workshop time to spend half a day or so on this. Mr. Hopkins said they are enhancing what is already in place because, with I-269 coming in, this County is going to have people coming in and asking for things that the County does not have regulations for. He stated there is a need for clear definitions. The Board agreed, and tentatively set Monday, January 22nd at 8 a.m. to work through the definitions in the Zoning Ordinance.

F. ORGANIZATION OF THE 2018 BOARD OF SUPERVISORS: ELECTION OF OFFICERS

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to elect Supervisor Mark Gardner to the position of Board President for 2018.

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

Supervisor Michael Lee stated he has enjoyed being the Board President this past year. He said it has been a great experience and he has learned a lot. Supervisor Lee expressed his appreciation to the Board for the opportunity to serve.

Supervisor Caldwell thanked Supervisor Lee for his leadership and helping the Board to stay cohesive, and said he did a great job as Board President.

Supervisor Gardner thanked Supervisor Lee for his leadership on the Board and in other organizations, stating, “he put his best forward”.

Supervisor Russell thanked Supervisor Lee and said the other Board members stated well how he had led the Board.

Supervisor Medlin echoed the sentiments of the other Board members.

Supervisor Mark Gardner made the motion and Supervisor Michael Lee seconded the motion to elect Supervisor Lee Caldwell to the position of Board Vice-President for 2018.

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 Michael Lee, Fifth District YES

G. APPROVAL OF AGENDA: ADDITIONS & DELETIONS

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

1. County Administrator Vanessa Lynchard requested to add the following:

- a. Contract Administration – Agreement for Legal Services Between DeSoto County and Anthony Nowak, and Smith, Phillips, Mitchell, Scott & Nowak, LLP (New, K.5.b.)
- b. Appoint Committee to Inspect Courthouse Courtroom (New, K.11.)
- c. Appoint Chad Wicker to Insurance Committee to Replace Lent Rice (New, K.12.)

2. Sheriff Bill Rasco invited the Board to a Retirement Party for Lent Rice on Friday.

3. Human Resources Director Vickie Richmann requested to consider the following for Executive Session:

- a. Facilities Management – Personnel (Executive, M.1.d.)

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the agenda items and actions with the additions, deletions, and changes as set forth above.

The motion passed by a vote as follows:

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

H. CITIZEN REMARKS & PRESENTATIONS

1. Homestead Appeal – Rose Merry Anderson

Chancery Clerk Misty Heffner spoke for Mrs. Anderson, as she was not in attendance. Mrs. Heffner stated Mr. Anderson passed away and Mrs. Anderson was not 65, so the Chancery Clerk's office could not roll her up. Mrs. Heffner stated her office mailed Mrs. Anderson a certified letter to come in and re-sign her Homestead Application and she did not, though the letter was signed for. Mrs. Heffner stated Mrs. Anderson came in after receiving her tax bill to request a refund and to be reinstated for 2017 Homestead.

Supervisor Caldwell asked Mrs. Heffner what was her recommendation. Mrs. Heffner and Mr. Nowak stated the law is clear and the Board does not have the authority to grant the particular homestead requested retroactively, and could not give a refund, in this case.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to deny the Homestead appeal by Rose Merry Anderson.

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

See Exhibit H.1.

2. Homestead Appeal – William Bruce Nicholson, Jr.

Mrs. Heffner stated the Department of Revenue (DOR) for the State of Mississippi saw two applications with Mr. Nicholson's ex-wife's Social Security number and voided his Homestead. She stated her office mailed him a certified letter on June 1st and Mr. Nicholson said he did not sign for the letter.

Mr. Nicholson stated the home he owned was only in his name and he did not know he had to change his Homestead after his divorce. He stated he bought his ex-wife a house after their divorce and when she filed Homestead, his was voided.

Supervisor Gardner noted that Cynthia Nicholson signed for the certified letter. Mr. Nicholson stated that is his wife. He asked the Board Attorney if the Board had any leeway in this situation. Mr. Nowak stated the statute provides if there is a change in occupancy, the homeowner has to re-file. He stated the statute is very strict and it places the burden on the homeowner. Mr. Nowak stated he looked over the weekend to try and find something to help the owner, because he knew the Board always tried to help the homeowner, but he did not find anything.

Supervisor Russell stated he wished the Board had the authority to change this, but the State will not give such authority. Supervisor Gardner stated the Board has asked legislators to get the law changed, but so far it has not been successful. He stated he would call the State Representative that said he would champion this change, and remind him again that this is a problem.

Supervisor Medlin expressed sympathy to Mr. Nicholson for his situation and stated when the Board can legally help, they do.

Supervisor Michael Lee made the motion and Supervisor Jessie Medlin seconded the motion to deny the Homestead appeal by Mr. Nicholson.

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

See Exhibit H.2.

3. Homestead Appeal – Winfred “Doc” Harris

Mrs. Heffner stated Mr. Harris could not attend the meeting this morning. She stated this is a similar situation to the Nicholson appeal. Mr. Nowak stated he looked and it is a similar situation as the Nicholson appeal, with the Board having no legal way to help.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to deny the Homestead appeal by Mr. Harris.

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

See Exhibit H.3.

Supervisor Gardner asked if there was anyone else present that wished to address the Board on any matter not on the agenda.

4. Challenge Accepted Robotics Team – FIRST Tech Challenge Team 7802

Mrs. Lynchard stated the Challenge Accepted Robotics Team was present to demonstrate their new robot. Jon Rogers stated Geoff 5.0 is the robot that qualified them for the State Championship in February.

Supervisor Lee noted the team’s robots are growing in what they are capable of. Mr. Rogers stated the team is growing; and, though the robot is actually smaller, it has many more functions than in the past.

Supervisor Gardner asked the team what their target group for recruiting was. Mr. Rogers stated the team is composed of 7th – 12th graders, but they aim more for 7th to 9th graders to ensure continuity on the team.

Supervisor Caldwell asked where they went to work with the robot. Mr. Rogers stated they use the Tate County 4-H space, but they are not able to store their supplies there. Supervisor Caldwell stated the team had inquired about space in DeSoto County, but they have not found anything yet.

Sheriff Rasco asked if the robot would climb stairs. The team said this one would not. He stated he would love to sit down with the team and talk to them about building a robot for the Sheriff’s Department. The team stated they have reached out to the Southaven Police Department about helping with their robotics. They stated the cost of Geoff 5.0 was about \$1,500.

Supervisor Gardner asked where the State Competition will be held. The team stated it will be in Oxford.

Supervisor Michael Lee made the motion and Supervisor Bill Russell seconded the motion to approve an allocation, from Advertising County Resources, of \$200 to the First Tech Challenge Robotics Team #7802; after having determined that the request to advertise county resources met the guidelines of the policy adopted by the Board of Supervisors, in accordance with Section 17-3-3, of the Mississippi Code of 1972, the Board of Supervisors did make a determination that the above request would advertise the resources and possibilities of DeSoto County and thereby advance the moral, financial and other interests of DeSoto County. The Board acknowledged the advertisement of County Resources by having the DeSoto County Board of Supervisors logo on the robot itself.

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

See Exhibit H.4.

No one else came forward to speak to the Board.

I. CONSENT AGENDA

1. Department of Human Resources: Monthly Health Claims Report

Funding Request	Date Paid	Amount	Claim Type
Date			
12/1/17	12/1/17	\$90,753.67	Administration Fees
12/4/17	12/4/17	\$36,073.33	Medical
12/4/17	12/4/17	\$2,885.80	Dental
12/4/17	12/4/17	\$13,822.89	Pharmacy
12/11/17	12/12/17	\$36,667.98	Medical
12/11/17	12/12/17	\$7,367.30	Dental
12/11/17	12/12/17	\$20,713.26	Pharmacy
12/18/17	12/19/17	\$81,123.60	Medical
12/18/17	12/19/17	\$4,251.40	Dental
12/18/17	12/19/17	\$31,967.83	Pharmacy
12/26/17	12/27/17	\$53,064.98	Medical
12/26/17	12/27/17	\$6,868.77	Dental
12/26/17	12/27/17	\$46,965.88	Pharmacy
	TOTAL	\$432,526.69	

2. Office of Finance & Accounting

a. Budget Amendments – Patrol/Law Enforcement (2), Animal Services, County Parks & Greenways/Hernando DeSoto Park/Johnson Creek Greenway

		Fund/Department #		001 / 202		Updated 7/15	
(1)	Patrol / Law Enforcement						
		YEAR TO DATE	ADOPTED			REVISED	
ACCT #	LINE ITEM	EXPENSES	BUDGET	INCREASE	DECREASE	BUDGET	
001-202-915	Vehicles - Above \$5,000	\$ -	\$ 272,219	\$ 90,400		\$ 362,619	
001-202-921	Other Cap Outlay Under \$5000	\$ 14,266.72	\$ 220,600		\$ 40,400	\$ 180,200	
001-202-925	Radios	\$ 35,192.00	\$ 157,000		\$ 50,000	\$ 107,000	
	TOTALS		\$ 649,819	\$ 90,400	\$ 90,400	\$ 649,819	
Reason for Request: (Show detailed justification)	When FY 18 budget was amended to remove the 6 requested grant funded officers the total amount of computers, equipment and necessary vehicles was taken from the vehicle line item. This amendment reallocates the funds to the necessary line items.						
		Fund/Department #		001 / 202			
(2)	Patrol / Law Enforcement						
		YEAR TO DATE	ADOPTED			REVISED	
ACCT #	LINE ITEM		BUDGET	INCREASE	DECREASE	BUDGET	
	REVENUE						
001-000-376	Insurance Proceeds	\$ 33,789.71	\$ 13,559	\$ 20,231		\$ 33,790	
	EXPENSE						
001-202-915	Vehicles - Above \$5,000	\$ -	\$ 362,619	\$ 20,231		\$ 382,850	
	TOTALS			OVERALL INCREASE	\$20,231.00		
Reason for Request: (Show detailed justification)	Increase revenue and increase expense to account for recent insurance claim paid by Travelers on behalf of patrol vehicle that was totaled.						
		Fund/Department #		001 / 445			
(3)	Animal Services						
		YEAR TO DATE	ADOPTED			REVISED	
ACCT #	LINE ITEM		BUDGET	INCREASE	DECREASE	BUDGET	
	REVENUE						
001-000-370	Animal Shelter Donations	\$ 832.00	\$ 807	\$ 25		\$ 832	
	EXPENSE						
001-445-938	Heating & Air Units - Donations	\$ -	\$ 5,611	\$ 25		\$ 5,636	
	TOTALS			OVERALL INCREASE	\$25.00		
		Fund/Department #		101 / 536		Updated 7/15	
(4)	County Parks and Greenways - Hernando/DeSoto Park						
		YEAR TO DATE	ADOPTED			REVISED	
ACCT #	LINE ITEM	EXPENSES	BUDGET	INCREASE	DECREASE	BUDGET	
101-536-550	Legal Fees	\$ -	\$ 4,799		\$ 1,000	\$ 3,799	
101-536-555	Engineering Fees	\$ 22,810.66	\$ 24,683	\$ 1,000		\$ 25,683	
	TOTALS		\$ 29,482	\$ 1,000	\$ 1,000	\$ 29,482	
		Fund/Department #		101 / 539		Updated 7/15	
(5)	County Parks and Greenways - Johnson Creek Greenway						
		YEAR TO DATE	ADOPTED			REVISED	
ACCT #	LINE ITEM	EXPENSES	BUDGET	INCREASE	DECREASE	BUDGET	
101-539-555	Engineering Fees	\$ 24,575.98	\$ 32,977	\$ 7,000		\$ 39,977	
101-539-909	Other Improvements over 25000	\$ -	\$ 884,000		\$ 7,000	\$ 877,000	
	TOTALS		\$ 916,977	\$ 7,000	\$ 7,000	\$ 916,977	

b. Quarterly Budget Allocations:

Tax Assessor: \$338,709.50

Tax Collector: \$364,297.17

Sheriff: \$5,756,942.75

3. Road Department

- a. Monthly Road Report
- b. January Work Schedule
- c. Road Bond Report

4. Office of Procurement

a. Delete Requisition Signers for Veteran Services Officer & Coroner

5. Establish as Part of the Formal Record and Enter Into the Board Minutes:

a. Affidavit of Publication for Area 3 of the Lewisburg Fire Protection District – Notice of Public Hearing

6. Chancery Clerk Allowance

7. Chancery Clerk Allowance for Copying Assessment Rolls

8. Sheriff’s Department – Uniform Reimbursement

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the actions and matters as set forth in the Consent 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 Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.

Addendum after Coroner’s swearing-in:

Supervisor Medlin stated the Board needed to authorize Joshua Pounders as requisition signer for the office of Coroner since the Board appointed him and he was sworn in this morning.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to authorize Joshua Pounders as requisition signer for the Coroner’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 Michael Lee, Fifth District	<u>YES</u>

J. OLD BUSINESS

1. 10:00 a.m. – Public Hearing for Final Order to Annex Tracts 1 & 2 into Lewisburg Fire District

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to open the public hearing to determine the final annexation of Tracts 1 & 2 into Lewisburg Fire District.

The motion passed by a vote as follows:

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

Mr. Nowak stated this is the final step for annexation of the two properties, and he reminded the Board that Lewisburg Fire District has filed for the annexation of a third tract that will come up later. He stated the Board determined the public necessity on December 4, 2017. Mr. Nowak said today’s hearing is to determine if there has been any public protest. He stated his office has not received any; the Chancery Clerk’s office has not, nor has the County Administration office. Supervisor Mark

Gardner asked if anyone was present to comment on this matter. No one was present to issue protest or comment.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to authorize the annexation of Tracts 1 & 2 as presented into the Lewisburg Fire District, amend the Fire District boundaries, include the Affidavit of Publication for today's public hearing in the Board minutes, and authorize the Board President to sign the Board Order.

The motion passed by a vote as follows:

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

Supervisor Jessie Medlin 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 Michael Lee, Fifth District	<u>YES</u>

See Exhibit J.1.

2. State Response for Holly Springs Road Project

State Aid Engineer Tracy Huffman stated they have received a letter from State Aid and it is basically broken into four parts:

- TIGER grant – State Aid/FHWA cannot provide written support for grant application
- Alternative Alignment– Additional justification required to realign/redesign
- Environmental – Proposed realign/redesign would require an extensive environmental re-evaluation and new studies
- Current Design – Ready to go, aside from a re-evaluation of existing environmental documents.

Mr. Huffman stated the general tone of the letter was not encouraging the County to look at a new alignment and design. He said it seemed State Aid is of the position that they have gone through the effort to go through the Federal guidelines and they want to continue with the current plan. He said State Aid also indicated they have \$4.5 million to go toward the project.

Supervisor Lee stated he did not want to keep going back to the drawing board. He asked what the Board needed to do to move forward with the project as State Aid recommends. Mr. Huffman stated the County would have to update the environmental study to be sure there were no major changes.

Supervisor Lee asked if to keep to Federal standards, meant the County would get Federal funds and use County funds; as well as fix the bridges. Mr. Huffman stated the design includes the eastern side of the project that begins on the east side of the existing Short Fork Bridge, not including the bridge, to a point just west of Smith Road, basically to the eastern floodplain limit. He said the western half of the project has not been designed and there has been no land acquisition for that portion, and that is where the hairpin curves are that State Aid wants addressed. The western portion of the existing road would continue to flood in certain rain events.

Supervisor Medlin stated the original alignment was a new road bed. He asked why the County would have to do a new environmental study to use the existing road. Mr. Huffman stated the County's proposed alternative would have less of a new right-of-way footprint but would still affect environmentally sensitive areas, such as wetlands, so that would have to be studied and evaluated. Supervisor Medlin asked if the bridge inspections had been done. Mr. Huffman affirmed and said they do bridge inspections on alternating years. Supervisor Medlin stated the Coldwater River

Bridge is mostly blocked. Supervisor Lee had pictures to show the blockage. Mr. Huffman said the design will lengthen the Coldwater River Bridge to three times its current length and raise it on the order of 10 feet, in addition to relocating it about 300' to the south. He stated it was elevated to pass a 100-yr event, which is more along the lines of an interstate design standard on a County road. Regarding the pictures shown by Supervisor Lee of the current debris pile at the Coldwater River Bridge, Mr. Swims stated he had been to check the bridge and the Road Department is clearing it this week. He stated that kind of blockage always happens after a big storm.

Supervisor Gardner asked if straightening out the curves was because of safety concerns. Mr. Huffman stated that is on the western leg of the project, and State Aid is really discussing the eastern part of the project as being ready to go. Supervisor Gardner stated he thought they should address the whole project. Mr. Huffman said the western part has not been designed, no land has been acquired, etc. that would have to be completed in order to be able to fully address that part.

Supervisor Caldwell stated the County can go ahead and start on the eastern leg of the project and begin looking for funding for the western part. Mr. Huffman said there may be opportunities during the upcoming infrastructure bill funding, but is difficult to know at this point. He stated if the County pursued the project as preferred by State Aid, they might be able to get money from the infrastructure bill since it has gone through the environmental process of FHWA and was funded previously through STP. He also said, given the pending infrastructure bill, he does not think the TIGER grant would be a good option at this juncture.

Supervisor Gardner said he thinks the County can fix Holly Springs Road without raising taxes.

Supervisor Lee asked Mr. Huffman what the Board needed to do to move forward. Mr. Huffman said to communicate back to State Aid that the Board is willing to move forward with the Eastern leg of the project and to complete the environmental update and see how State Aid responds.

Supervisor Medlin asked how long the environmental update would take. Mr. Huffman said he estimated about 3-6 months after getting State Aid approval to move forward.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to authorize Mr. Huffman to communicate to State Aid the County is ready to move forward with the eastern leg of the project as designed, and that the Board agrees and would like to prepare the eastern leg for bidding.

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

See Exhibit J.2.

3. Environmental Services – Rubbish Pit Plan

Environmental Services Director Ray Laughter stated they have been working with Jim McNaughton for a while on utilizing all available space at the Rubbish Pit on Sandidge. He stated they are ready to begin work on a new cell on the western side. Mr. Laughter stated MDEQ had to give their okay, and there are a couple of housekeeping issues the County has to take care of in the form of engineering, updating of the Stormwater permit, and getting a final grading plan that cannot be done in-house.

Mr. Laughter stated he contacted Mr. McNaughton who, along with Engineer Jim Allen, haven given a proposal to take care of MDEQ's requirements and a proposal to go forward.

Supervisor Gardner asked if the County had a contractual agreement with Mr. Allen. Mr. Laughter stated he is an engineer that Mr. McNaughton has contracted with under his agreement. Mrs. Lynchard stated Environmental Services has a general services contract with Mr. McNaughton. Mr. Laughter stated Mr. McNaughton has options to present to MDEQ and responses to their concerns regarding the Rubbish Pit.

Mrs. Lynchard stated the project team estimates the expense not to exceed \$100,000 to complete the tasks rather than the \$160,000 originally estimated. She also said they estimate \$25,000 to respond to MDEQ and complete the Stormwater plan. Mr. Laughter stated if the County is able to complete the Stormwater plan; the cost will be \$5,000 less. Mr. Laughter stated there is money in the Solid Waste budget for this.

Supervisor Medlin asked if the County had paid any of the expenses under this new contract. Mrs. Lynchard stated they are being paid under an existing contract. Mr. Laughter stated the County has paid for soil boring, moving utility lines, and engineering related to that.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the contract contingent on a review of the contract by the firm of Smith, Phillips, Mitchell, Scott and Nowak, and Mr. Nowak coming back to the Board with any changes.

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

See Exhibit J.3.

K. NEW BUSINESS

1. Appointment of Coroner

Supervisor Gardner thanked everyone that came for this bittersweet occasion.

Supervisor Lee Caldwell stated the County cannot ever replace Jeffery Pounders, who has been the County Coroner for many years, and a friend to so many. She stated she is honored and pleased that someone can step up who is so qualified. Supervisor Caldwell stated Jeffery Pounders had prepared Josh his whole life for this. She said she felt like this is what Jeffery would want; and, if Josh will accept the position, it will be for the betterment of DeSoto County.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to appoint Joshua Pounders to the position of DeSoto County Coroner, pursuant to Miss. Code. Ann. §19-21-107 and Miss. Code Ann. §23-15-839, and adopt a board order for the appointment.

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

Mr. Joshua Pounders accepted the appointment by the Board and expressed his appreciation for their confidence in him. Judge Percy Lynchard was on hand to swear in Joshua Pounders, and did so in front of the audience gathered.

See Exhibit K.1.

2. Approval of Appointments by Board of Supervisors – County Office Positions

- a. Board Attorney – Tony Nowak
- b. Board Secretary – Pat McLeod
- c. Comptroller – Andrea Freeze

- d. County Administrator – Vanessa Lynchard
- e. County Engineer – Andy Swims
- f. County Extension Director/Ag & Natural Resources – Joy Anderson
- g. County Extension – Area Agronomics Crops – Dan Haire
- h. County Extension – Program Associate – Paula Moore
- i. County Extension – Family & Consumer Science – Lara Angel
- j. County Extension - 4-H Youth Agent – Jessica Lindsey
- k. County Extension – Office Associate – Patricia Cross
- l. County Extension - Office Associate – Rebecca Noe
- m. County Fire Investigator – Bobby Storey
- n. County Road Manager – Andy Swims
- o. EEOC Officer – Vickie Richmann
- p. Emergency Management – Director – Bobby Storey
- q. Emergency Management – Deputy Director – Chris Olson
- r. Emergency Medical Operations – Director – Mark Davis
- s. Fire Service Coordinator – Bobby Storey
- t. Homeland Security – Bobby Storey
- u. Inventory Clerk – Angie Tapley
- v. Inventory Clerk – Assistant – Road – Kim Northcutt
- w. Inventory Clerk – Assistant – Sheriff – Amy Henley
- x. Inventory Clerk – Assistant – Chancery – Cindy Camyre
- y. Justice Court Clerk – Pat Sanford
- z. Mental Health Representative – Region IV – Pat Sylvester
- aa. Procurement Clerk – Assistant – Karen McNeil
- bb. Procurement Clerk – Assistant – Angie Irving
- cc. Purchasing Clerk – Pat McLeod
- dd. Receiving Clerk – Ann Richmond
- ee. Risk Management Officer – Reby Johnson
- ff. Risk Management Officer – Assistant – Road – Kenny Woods
- gg. State Aid Engineer – Tracy Huffman
- hh. Veteran Services Officer – Vacant
- ii. Youth Court Prosecutor – Honorable Paige Williams
- jj. Youth Court Prosecutor – Honorable Mary Pickett

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve all the appointments as listed above in K.2, County Office Appointments.

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

See Exhibit K.2.

3. Appointments to Boards and Commissions, etc. – See Exhibit for Names

All appointments were motioned by the designated supervisors as listed below and all motions were approved unanimously.

- a. Board of Adjustment -
Motion by Supervisor Medlin
2nd Supervisor Lee
- b. Business Investment Incentive Committee – Reappoint Jim Flanagan
Motion Supervisor Caldwell
2nd Supervisor Medlin
- c. Coldwater River Watershed Council –
Motion Supervisor Russell
2nd Supervisor Caldwell
- d. DeSoto County Deputy Medical Examiner Investigator –
Motion Supervisor Lee
2nd Supervisor Caldwell
- e. DCRUA Appointee – Resolution Requested –
Motion by Supervisor Russell and second by Supervisor Caldwell to reappoint Wade Carter and authorize the Board President to sign Board Order.
- f. Fire Protection District – Eudora – Reappoint Miguel Palmieri
Motion Supervisor Caldwell
2nd Supervisor Medlin
- g. Fire Protection District – Lewisburg – Reappoint Paul Allison
Motion Supervisor Lee
2nd Supervisor Gardner
- h. Fire Protection District – Nesbit – Supervisor Caldwell requested to table.
- i. Fire Protection District – Walls – Reappoint R.B. Ramage
Motion Supervisor Russell
2nd Supervisor Caldwell
- j. Handicap Compliance Grievance Committee –
Motion Supervisor Caldwell
2nd Supervisor Medlin
- k. I-269 Coalition –
Motion Supervisor Gardner
2nd Supervisor Medlin
- l. Keep DeSoto County Beautiful Committee -
Supervisor Russell asked to hold over the 3rd District appointee.
Supervisor Lee requested to hold over the 5th District appointee.
Supervisor Gardner requested to hold over the 2nd District appointee.
Supervisor Caldwell made the motion and Supervisor Medlin seconded the motion to approve the 1st and 4th district appointees.
- m. Library Advisory Board – B.J. Chain Library – Supervisor Medlin requested to table.
- n. Library Advisory Board – M.R. Davis Library –
Supervisor Gardner requested to table Peggy Hall’s appointment.
Supervisor Medlin motioned to approve Daphine Craig.
2nd Supervisor Lee
- o. Library Advisory Board – Walls Library – Reappoint Dale Johnson
Motion Supervisor Russell
2nd Supervisor Caldwell
- p. Library Advisory Board – M.R. Dye – Reappoint Bobbie Crider
Motion Supervisor Caldwell
2nd Supervisor Medlin
- q. Library Advisory Board – Hernando Library – Reappoint Lucie Bridgforth
Motion Supervisor Lee

- 2nd Supervisor Caldwell
- r. Memphis Area of Governments Representative -
Motion Supervisor Caldwell
2nd Supervisor Medlin
 - s. Memphis Metropolitan Planning Organization (MPO) –
Motion Supervisor Gardner
2nd Supervisor Lee
 - t. Mid-State Opportunity Board of Directors –
Motion Supervisor Lee
2nd Supervisor Gardner
 - u. North Central MS Resource Conservation & Development –
Motion Supervisor Medlin
2nd Supervisor Gardner
 - v. North Delta Planning & Development –
Motion by Supervisor Russell for Supervisor Gardner to replace Supervisor Caldwell
2nd Supervisor Medlin
 - w. Ozone Action Committee – Supervisor Russell asked to table District 3 appointee.
Motion to approve 1st, 2nd, 4th, & 5th appointees – Supervisor Medlin
2nd Supervisor Caldwell
Supervisor Medlin suggested bringing this committee in to help work on Household Hazardous Waste Day.
 - x. Planning Commission –
Motion Supervisor Caldwell
2nd Supervisor Lee

Sheriff Rasco asked to take Angela Gunter off as a receiving clerk for the Sheriff’s Department and not fill that position.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to remove Angela Gunter as receiving clerk for the Sheriff’s Department and not fill the position as Sheriff Rasco 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 Michael Lee, Fifth District	<u>YES</u>

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to remove Harvey Ferguson from the Agri Education Exploratory Committee and approve the other members.

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

See Exhibit K.3.

4. EMS – Permission to Seek Additional Delta Trauma Fund Grant

EMS Director Mark Davis informed the Board that Delta Trauma has extra money that has to be used on education and training and they have offered an additional \$10,000 to DeSoto County. Mr. Davis stated they have to write a letter to justify the use of the money, and EMS would like to update more mannequins and other training equipment. He stated that is what they used the original grant money toward. Mr. Davis stated he will get a letter back from Delta Trauma noting the purchases they

approve and they will reimburse all approved purchases from the grant.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to authorize Mr. Davis to seek the additional \$10,000 grant from Delta Trauma for the purchase of mannequins and other training materials.

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

5. Contract Administration

a. Sheriff’s Department – Guardian RFID System Agreement

Commander Chad Wicker stated Guardian RFID is an inmate tracking system that uses ID bands that track the inmates through the facility, when they leave the facility, medications received, and every other interaction the jail staff has with an inmate.

Mr. Nowak stated he has reviewed the contract and made changes that Guardian agreed to.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve the contract with the Board Attorney’s changes, as presented.

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

Director of Procurement and Administrative Services Pat McLeod stated there were two quotes for this service: Guardian at \$39,943.25 and Tiger Track at \$49,006. She asked the Board to approve the purchase over \$25,000 and make both quotes a part of the Board minutes.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the purchase over \$25,000 to Guardian finding them to be the lowest and best responsive quote.

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

See Exhibit K.5.a.

b. Board Attorney – Contract between DeSoto County, Anthony Nowak, and the firm of Smith, Phillips, Mitchell, Scott & Nowak, LLC

Mr. Nowak stated he is appointed as the full-time Board Attorney under statute, through which position he provides a certain scope of services, as outlined in an agreement for legal services, and everything beyond that scope of work goes through the firm of Smith, Phillips, Mitchell, Scott & Nowak, LLC. He presented a revised agreement for legal services and noted a change in rates to be partners, \$175; associates, \$160 (The contract stated \$165; Mr. Nowak said he would change that); and legal assistants at \$45 per hour. Mr. Nowak stated he has taken a lot of time to train Connie Wulff on real estate matters. He said using her in that capacity will offset some of the rate increases and be more efficient.

Mr. Nowak stated he appreciated the Board’s support and reappointment.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the contract between DeSoto County, Anthony Nowak, and the firm of Smith, Phillips, Mitchell, Scott & Nowak, LLC, as presented but with the correction of the hourly rate of associates to \$160.00 per hour, and authorize the Board President to sign the necessary documents.

The motion passed by a vote as follows:

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

See Exhibit K.5.b.

6. Office of Procurement

a. Sheriff’s Department – Vehicle Purchases Exceeding \$25,000

Mrs. McLeod presented the request to purchase 15 Ford Police Interceptors at a cost of \$22,450 each for a total of \$336,750. She stated these are off the State contract from Gray Daniels Ford.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to approve the purchase of 15 Ford Police Interceptors at a cost of \$22,450 each for a total of \$336,750, to be purchased off the State contract from Gray Daniels Ford.

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

See Exhibit K.6.a.

7. Office of Finance and Accounting

a. Budget Amendment – Capital Projects/EMA Classroom

Chief Financial Officer Andrea Freeze stated this budget amendment was necessary to move funds to the EMA classroom project budget to purchase computer equipment, as discussed during the budget meetings.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the budget amendment for Capital Projects/EMA Classroom as presented by Mrs. Freeze.

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

See Exhibit K.7.a.

		Fund/Department #		380 / 260		Updated 7/15	
(1)		Capital Projects - EMA Classroom					
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET	
380-260-924	Computer Hardware & Software	\$ -	\$ -	\$ 4,000		\$ 4,000	
380-999-999	Ending Cash	\$ -	\$ 69,837		\$ 4,000	\$ 65,837	
	TOTALS		\$ 69,837	\$ 4,000	\$ 4,000	\$ 69,837	
Reason for Request: (Show detailed justification)	To move funds to EMA classroom project budget that are necessary for purchasing various computer equipment in order to hold training. During the budget process \$4,000 was the amount estimated to be needed for these purchases.						
Requested by:	Andrea Freeze / John Mitchell						

b. Claims Docket

Chief Financial Officer Andrea Freeze presented a page by page declaration of the Claims Docket. Deputy Financial Officer Stephanie Hanks brought invoice documentation to address any questions. Mrs. Freeze noted a change to IT and General Fund. She stated the payment for the EMA classroom was originally coded out of the General Fund 001, and will be taken out of the IT Fund 380. The amounts of \$1,948.00 and \$198.00 on page 19 will reduce the General Fund overall expenses. Mrs. Hanks also noted that Super 8 has one too many checks entered on the docket, and that has also been corrected.

Supervisor Jessie Medlin asked about the following claims:

Page 65 – Waste Pro Recycle & Dynamic Recycling – Mr. Laughter stated the Waste Pro is a roll-off container of televisions, and one located at the jail. He stated the Dynamic Recycling is e-waste. Page 53 – Nov 2 thru Dec 18 – Elizabeth Lentz \$1,214.99 – The invoice showed 2,271 miles reimbursed from Sumner to court. Supervisor Caldwell asked if that was audited by anyone. Mrs. Freeze stated the Judge signs off on it. Mrs. Hanks stated she does check the miles and makes sure the amounts are correct.

Supervisor Mark Gardner asked about the following claims:

Page 59 – \$941.25 – The invoice showed several tools. Mr. Kuntz stated that is for Task Force equipment and is grant funded. Mrs. Lynchard stated DeSoto is the home county, so all purchases come through here. Supervisor Gardner asked about the tracking mechanism. Mrs. Lynchard stated all the items are inventories and, if they go outside the County, there is a receipt issued. Page 11 – Ferguson Homes, US Assets – Mr. Nowak stated those are tax sale challenges from large corporations that he recommends be challenged, or there will be a snowball effect. Mrs. Heffner stated 13 counties are being sued similarly. Mr. Nowak affirmed and said all the counties are working together with the Attorney General’s office to challenge the claims. He said the Sass Muni case, that is creating this issue, was on appeal to the Mississippi Supreme Court. Supervisor Gardner asked if that was something that could get changed with legislation. Mr. Nowak stated it needs to be looked at. Page 14 – Hertz Equipment – The invoice showed this was a repair to a scissor lift. Page 18 – Lennox Industries – Mr. Jarman stated it was a blower motor for a heater that was needed immediately. He stated if they pick things up out of state they are charged tax, but sometimes the delivery charge is more than the tax. Page 35 – Axon Enterprise – The invoice showed tasers were purchased. Page 67 – Data Systems Management – Create drainage programs for GIS. Mrs. Lynchard stated they have been working on drainage district boundaries. Page 80 – Mr. Nowak stated that was for appraisals for Craft/Bethel Road

Supervisor Bill Russell did not have any questions.

Supervisor Lee Caldwell did not have any questions.

Supervisor Michael Lee did not have any questions.

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 Michael Lee seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Chief Financial Officer.

The motion passed by a vote as follows:

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

Addendum: Mrs. Lynchard requested the Board approve the clerk to write the check for Joshua Pounders' bond.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the clerk to write the check for Joshua Pounders' bond.

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

8. Grants Administration

a. Approval to Accept FY19 Household Hazardous Waste Day and E-Waste Grant and for Board President to Sign Award Documents

Mr. Kuntz stated this will pay for the Household Hazardous Expenses from October.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the acceptance of the FY19 Household Hazardous Waste Day and E-Waste Grant and authorize the Board President to sign the award documents.

The motion passed by a vote as follows:

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

See Exhibit K.8.a.

b. Approval to Apply for FY19 DUI Grant and for Board President to Sign Application

Mr. Kuntz stated this grant is for \$170,000.00 for the DUI officers.

See motion and vote at K.8.c.

See Exhibit K.8.b.

c. Approval to Apply for FY19 Occupant Protection Grant and for Board President to Sign Application

Mr. Kuntz stated the Occupant Protection Grant amount is \$35,000.00.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize Mr. Kuntz to apply for both the FY19 DUI Grant and the FY19 Occupant Protection Grant and for the Board President to sign the applications.

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 Michael Lee, Fifth District YES

See Exhibit K.8.c.

9. Justice Court – Appointment of Special Prosecutor

Mrs. Lynchard stated Mr. Sorrell has been ill, and Justice Court had to appoint Bill Seale as special prosecutor at the last minute on December 15, 2017.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the appointment of Bill Seale as Special Prosecutor on December 15, 2017.

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 Michael Lee, Fifth District YES

See Exhibit K.9.

10. Coroner’s Office – Unclaimed Body – Approval to Cremate

Mrs. Lynchard stated the Coroner’s Office has an unclaimed body with no spouse, no children, and deceased parents. She stated they did find a cousin who was unable to pay for a funeral and refused to claim the body. Mrs. Lynchard reminded the Board that the Coroner now has the authority to make this determination; but, in the absence of a Coroner, the Board has to approve.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Coroner’s office to take the necessary steps for a county cremation.

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 Michael Lee, Fifth District YES

See Exhibit K.10.

11. Request Approval to Travel to MAS Mid-Winter Conference in Jackson, MS – Board of Supervisors, Vanessa Lynchard, Andy Swims, Tony Nowak & Sam Barber

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve travel to the MAS Mid-Winter Conference in Jackson MS for the Board of Supervisors, Vanessa Lynchard, Andy Swims, Tony Nowak & Sam Barber.

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 Michael Lee, Fifth District YES

12. Appoint Committee to Inspect Courthouse Courtroom

Supervisor Michael Lee made the motion and Supervisor Mark Gardner seconded the motion to appoint Supervisor Caldwell and Supervisor Medlin to inspect the Courthouse Courtroom.

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

13. Appoint Chad Wicker to Insurance Committee to Replace Lent Rice

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to appoint Commander Chad Wicker to the Insurance Committee as the Sheriff's Department representative.

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

Addendum: Supervisor Gardner suggested looking at all the committees and letting the Supervisors decide if they want to remain on the same committees, or if they would like to change some.

L. PLANNING COMMISSION

1. Proposed Ordinance Discussion – 8:30

See minutes at Item E. Draft Ordinance Review.

2. New Business

i. Consent

- a. Robison Minor Lot (7193)** Approval of 3 lot(s) 13.7 acre(s). Identified as Parcel #3-07-8-27-00-0-00003-07. Subject property is located on the south side of Bolin Road and west of Malone Road in Section 23, Township 3, Range 7 Zoned A (District 5)
Applicant – Micah Robison

Supervisor Michael Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve the Robison minor lot as presented by Mr. Hopkins and Mr. Cardosi.

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

3. Subdivision Regulation Update Review

Mrs. Lynchard stated the Board had talked about updating the subdivision regulations and asked if they wanted that done through a committee. Mr. Hopkins stated they could probably do that in house and bring back recommendations to the Board if that was agreeable. Mr. Hopkins stated they could also get with engineering and clean some things up as well.

Supervisor Medlin asked if the classifications of subdivisions such as R20, R30, etc. would stay the same in the new Comprehensive Plan. Mr. Hopkins stated they did not change anything like that; just the language, placement and a good cleaning up of the ordinance.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to authorize the Board Attorney to work with Mr. Hopkins and Mr. Cardosi on the subdivision regulations update.

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

See Exhibit L.

M. EXECUTIVE SESSION

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

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to recess the Board meeting until Tuesday, January 16, 2017, at 9:00 a.m.

The motion passed by a vote as follows:

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

THIS the 2nd day of January, 2018, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Mark Gardner, President
DeSoto County Board of Supervisors