

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

DISTRICT TWO SUPERVISOR MARK GARDNER, PRESIDING

January 22, 2018

A. CALL TO ORDER

The January 22, 2018 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Mark Gardner, Board President.

Sheriff Bill Rasco 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's Department
Misty Heffner	Chancery Clerk
Vanessa Lynchard	County Administrator
Tony Nowak	Board Attorney

B. INVOCATION

Supervisor Michael Lee offered the invocation.

C. PLEDGE OF ALLEGIANCE

D. CITIZEN REMARKS & PRESENTATIONS

Supervisor Gardner asked if anyone had anything to say to the Board that was not on the agenda. No one came forward.

1. Special Recognitions

Mrs. Lynchard stated there are two Planning Commission Appointees who have been serving on the Planning Commission for 26 years. Mrs. Lynchard stated these appointees were serving before the Planning Commission members were paid. She stated their record of service has been exemplary.

Supervisor Medlin said he is honored that both Len Lawhon and Julius Cowan are District 1 appointees serving since 1991 and 1986, respectively. He said these men have seen times of little growth and times of tremendous growth in DeSoto County. Supervisor Medlin stated he appreciates Mr. Lawhon and Mr. Cowan in their good attendance, their involvement, and their knowledge of what is going on in the County. Supervisor Medlin said he met Mr. Lawhon while running for office his first time, and he grew up with Mr. Cowan. He stated DeSoto County is blessed to have men like this serving; they have done a good job and the Board appreciates them. Supervisor Medlin then presented each gentleman with a 25-year pin.

Supervisor Caldwell stated she was proud and honored to be able to present the next employee. She said if one were to look up the definition of a good employee, one would find a picture of Stephanie Hanks. Supervisor Caldwell said Mrs. Hanks has been with the County for 20 years, and she is totally dedicated and committed. She said Mrs. Hanks will do anything that is asked of her. Supervisor Caldwell said Mrs. Hanks is the "right-hand man" in the Finance Department; and her hard work, dedication and commitment is appreciated by this Board. Supervisor

Caldwell presented Mrs. Hanks with her 20-year pin.

Assistant Road Manager Mike Kennedy stated Dewayne Hall has been with the Road Department for 21 years. He jokingly said Mr. Hall could retire before he was 50 years old, but the Road Department seriously hopes he does not. He stated Mr. Hall is a great worker; and the Road Department, as well as the Board of Supervisors, appreciates the job Mr. Hall does. Mr. Kennedy presented Mr. Hall with his 20-year pin.

E. APPROVAL OF AGENDA: ADDITIONS AND 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. Environmental Services – Rubbish Pit (New, H.21.)
Pipes Encroaching at the Rubbish Pit (H.21.a.)
Public Hearing for Emergency Disposals (H.21.b.)
- b. Human Resources – Tax Table Changes (New, H.22.)
- c. Grant Administration – Federal Grant Update (New, H.12.d.)
- d. Justice Court – MSB Contract (New, H.23.a.)
- e. Authorization to Travel – North Delta PDD Legislative Day (New, H.18.)

2. Supervisor Medlin requested to add the following:

- a. Central Church – Tax Situation (Old, G.8.)

3. Chancery Clerk Misty Heffner requested to add the following:

- a. Airport Hangars – Ad Valorem Tax (New, H.24.)

4. Planning Director Bennie Hopkins requested to delete the following:

- a. Planning – Collier 2 Lot Minor Lot – (Planning, I.3.i.a.)

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve the Agenda with the additions, deletions and corrections 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>

F. CONSENT AGENDA

1. Publication of Board Proceedings

ORDER APPROVING ALL COUNTY BILLS THE MONTH OF December 2017,
AS AUTHORIZED AND PROVIDED UNDER SECTION 19-3-67 AND 19-3-35, MISSISSIPPI

CODE 1972 AMENDED.

FOR CLAIMS NUMBERED 692-1044 (Fund 001); 14-17 (Fund 024); 19-27 (Fund 025); 34-45 (Fund 026); 12-21 (Fund 027); 14-23 (Fund 028); 5 (Fund 033); 18-21 (Fund 044); 10-13 (Fund 075); 2 (Fund 097); 26-34 (Fund 101); 41-55 (Fund 105); 10-18 (Fund 106); 10-13 (Fund 108); 7-12 (Fund 120); 162-255 (Fund 156); 81-128 (Fund 160); 4-7 (Fund 170); 1 (Fund 216); 1 (Fund 229); 1 (Fund 232); 31- (Fund 313); 12-15 (Fund 315); 1 (Fund 380); 17-24 (Fund 501); 2 (Fund 604); 7-9 (Fund 650); 3 (Fund 654); -103 (Fund 681); 7-8 (Fund 682); 2 (Fund 690); 2 (Fund 691)
TOTALING \$ 11,396,600.42

BE IT ORDERED:

That all county bills for **DESOTO COUNTY** for the month December 2017 claims numbered as noted above totaling **\$ 11,396,600.42** is hereby approved as presented by the Chancery Court Clerk of DeSoto County.

These are claims presented and approved during the month of December 2017,
ORDERED AND DONE THIS 27th DAY of December 2017.

Supervisors that were present at the December 27, 2017 meeting were Michael Lee, Jessie Medlin, Mark Gardner, William Russell and Lee Caldwell.

2. Office of Finance & Accounting

a. Budget Amendments – Facilities Management/Ending Cash, Animal Services, Chancery Court, Patrol/Law Enforcement, Sheriff Canteen Fund, M17HSO17T/Task Force Misc Grant, Garbage and Solid Waste, Motor Vehicle Registration/IT, Craft at Bethel Rd Widening, Capital Projects – Not Bond Funds – EMA Classroom

(1)	Fund/Department #	001 / 151				Updated 7/15
	Facilities Management / Ending Cash					
		YEAR TO DATE	ADOPTED			REVISED
ACCT #	LINE ITEM	EXPENSES	BUDGET	INCREASE	DECREASE	BUDGET
001-151-921	Other Cap Outlay Under \$5000	\$ -	\$ -	\$ 2,100		\$ 2,100
001-151-919	Furn/Office Equip Under \$5000	\$ 2,000.00	\$ 3,600		\$ 1,600	\$ 2,000
001-999-999	Ending Cash	\$ -	\$ 34,499,926		\$ 500	\$ 34,499,426
	TOTALS		\$ 34,503,526	\$ 2,100	\$ 2,100	\$ 34,503,526
Reason for Request:	To cover unexpected expense for ice machine for administration building.					
	Fund/Department #	001 / 445				
(2)	Animal Services					
		YEAR TO DATE	ADOPTED			REVISED
ACCT #	LINE ITEM		BUDGET	INCREASE	DECREASE	BUDGET
	REVENUE					
001-000-370	Animal Shelter Donations	\$ 1,007.00	\$ 832	\$ 175		\$ 1,007
	EXPENSE					
001-445-696	Pharmacy Supplies	\$ 127.05	\$ 1,800	\$ 20		\$ 1,820
001-445-698	Canine Supplies - Food	\$ 2,707.37	\$ 20,308	\$ 15		\$ 20,323
001-445-938	Heating & Air Units - Donations	\$ -	\$ 5,611	\$ 140		\$ 5,751
	TOTALS		OVERALL INCREASE	\$175.00		
Reason for Request:	Increase revenue and increase expenses to account for recent restricted donations given to the animal shelter.					
(Show detailed justification)						
	Fund/Department #	001 / 160				Updated 7/15
(3)	Chancery Court					
		YEAR TO DATE	ADOPTED			REVISED
ACCT #	LINE ITEM	EXPENSES	BUDGET	INCREASE	DECREASE	BUDGET
001-160-563	Guardian Ad Litem	\$ 14,250.00	\$ 36,000	\$ 2,250		\$ 38,250
001-160-575	Jurors and Witness Fees	\$ -	\$ 4,000		\$ 2,250	\$ 1,750
	TOTALS		\$ 40,000	\$ 2,250	\$ 2,250	\$ 40,000
Reason for Request:	Judge order to pay special guardian ad litem \$2,250 on case 15-CV-929. D. Branam was representing one of the clients, that is why a special guardian ad litem had to be assigned.					
(Show detailed justification)						

		Fund/Department #	001 / 202				Updated 7/15
(4)	Patrol/Law Enforcement						
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET	
001-202-915	Vehicles - Above \$5,000	\$ -	\$ 382,850	\$ 6,200		\$ 389,050	
001-202-925	Radios	\$ 35,192.00	\$ 107,000		\$ 6,200	\$ 100,800	
TOTALS			\$ 489,850	\$ 6,200	\$ 6,200	\$ 489,850	
Reason for Request:		Amend line item to cover necessary expenses.					
		Fund/Department #	033 / 221				Updated 7/15
(5)	Sheriff Canteen Fund						
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET	
033-221-544	Service/Maintenance Contract	\$ -	\$ 8,700	\$ 17,000		\$ 25,700	
033-221-523	Contractual Printing	\$ -	\$ 3,500		\$ 2,500	\$ 1,000	
033-221-692	Clothes & Dry Goods / Prisoners	\$ 8,558.23	\$ 46,900		\$ 4,000	\$ 42,900	
033-221-921	Other Cap Outlay Under \$5000		\$ 5,000		\$ 2,500	\$ 2,500	
033-221-922	Other Cap Outlay Over \$5000		\$ 5,500		\$ 5,500	\$ -	
033-221-924	Computer Hardware & Software	\$ 819.96	\$ 5,000		\$ 2,500	\$ 2,500	
TOTALS			\$ 74,600	\$ 17,000	\$ 17,000	\$ 74,600	
Reason for Request:		Amend line items to cover necessary expenses.					
		Fund/Department #	044 / 289				Updated 7/15
(6)	M17HS017T - Task Force Misc Grant						
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET	
REVENUE							
044-000-241	Public Safety Grant Revenue	\$ 45,479.32	\$ 206,000	\$ 41,000		\$ 247,000	
EXPENSE							
044-289-546	Other Repairs and Maintenance	\$ -	\$ -	\$ 1,500		\$ 1,500	
044-289-617	Rescue Supplies	\$ -	\$ -	\$ 2,300		\$ 2,300	
044-289-681	Repair and Replacement Parts	\$ -	\$ -	\$ 2,000		\$ 2,000	
044-289-921	Other Cap Outlay Under \$5000	\$ -	\$ -	\$ 8,000		\$ 8,000	
044-289-922	Other Cap Outlay Over \$5000	\$ -	\$ -	\$ 25,000		\$ 25,000	
044-289-924	Computer Hardware & Software	\$ -	\$ -	\$ 2,200		\$ 2,200	
TOTALS				OVERALL INCREASE	\$41,000.00		
Reason for Request:		Amend line items to reflect additional Homeland Security Grant					
		Fund/Department #	105 / 340				
(7)	Garbage and Solid Waste						
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET	
REVENUE							
105-000-270	Restricted for Public Works	\$ 57,597.58	\$ 138,000	\$ 20,000		\$ 158,000	
EXPENSE							
105-340-594	Other Contractual Services	\$ 2,264.81	\$ 45,000	\$ 20,000		\$ 65,000	
TOTALS				OVERALL INCREASE	\$20,000.00		
Reason for Request:		Increase revenue and increase expense to account for additional household hazardous waste day grant revenue. (Show detailed					
		Fund/Department #	108 / 152				Updated 7/15
(8)	Motor Vehicle Registration - IT						
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET	
108-152-594	Other Contractual Services	\$ 1,250.00	\$ 1,000	\$ 250		\$ 1,250	
108-999-999	Ending Cash	\$ -	\$ 42,898		\$ 250	\$ 42,648	
TOTALS			\$ 43,898	\$ 250	\$ 250	\$ 43,898	
Reason for Request:		Amend line item to cover necessary expenses for data systems drainage districts software program. (Show detailed					
		Fund/Department #	160 / 377				Updated 7/15
(9)	Craft at Bethel Rd Widening						
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET	
160-377-900	Land (No Threshold)	\$ -	\$ 80,000		\$ 10,000	\$ 70,000	
160-377-914	Property Easements / ROW	\$ 18,365.40	\$ 9,766	\$ 10,000		\$ 19,766	
TOTALS			\$ 89,766	\$ 10,000	\$ 10,000	\$ 89,766	
Reason for Request:		Amend line item to cover necessary right of way expenses for craft at bethel road widening project. (Show detailed					

		Fund/Department #	160 / 377			Updated 7/15
(10)	Capital Projects - Not Bond Funds - EMA Classroom					
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
380-260-919	Furn / Office Equip Under \$5000	\$ 1,450.00	\$ -	\$ 1,450		\$ 1,450
380-999-999	Ending Cash	\$ -	\$ 65,837		\$ 1,450	\$ 64,387
TOTALS			\$ 65,837	\$ 1,450	\$ 1,450	\$ 65,837
Reason for Request: (Show detailed justification)	Amend line item to cover necessary furniture for EMA new classroom. Originally \$1,600 was approved but they didn't require the full amount.					

b. SID Forfeitures & Approval for Clerk to Write Check to District Attorney

Case #	Date Seized	Receipt #	Amount	Date of Forfeiture	District Attorney (20%)
2017-66506	11/2/2017	34780	\$ 700.00	12/13/2017	\$ 140.00
		Total	\$ 700.00		\$ 140.00

Transfer from Sheriff-Seized Fund (123-000-001) \$ 700.00
 Transfer to Sheriff-Forfeiture Fund (120-000-001) \$ 700.00

 Amount to remain in forfeitures (120-000-238) \$ 560.00
 Check amount to the District Attorney (120-000-147) \$ 140.00

3. Road Department

a. Safety Report

WORKMAN COMPENSATION CLAIMS

There were three workman compensation claims for this period.
 1-9-18 Dewayne Hall- clamp came a loose from hose and hit him in the head.
 1-9-18 Chris Bradshaw- Had a seizure of some sort. (This may not be a work comp claim)
 1-9-18 Randy Williams-a 350lb Hydraulic motor rolled off truck onto his foot.

ACCIDENTS

There was one accident claim for this period.
 1-10-18 Hit pot hole and busted oil pan. Tulane near Commerce.

WEATHER

We have had some heavy rains on Friday 12-22-2017 which caused some road damage. The road fell in at Tulane and Nesbit Rd. The road was closed for several days until repairs could be made.

We have salt and sand ready if any ice and snow should come in.



 Management Officer/DeSoto County Road Dept.

4. EMS Monthly Report

December 2017

Number of ambulance runs billed: 171
 Amount billed: \$ 102,897.60
 Amount collected: \$ 48,025.55
 Un-collectable amount: \$ 12,109.50

	Eudora	Lewisburg	Walls
Dispatched Calls:	84	104	85
Refusals:	18	26	20
Standby Only:	3	3	1
Billed:	52	63	56
Other:	11	12	8

5. Animal Services - Wings of Rescue Update

Wings of Rescue pet requirements

	Dogs	Puppies	Cats	Kittens
HW (2)	\$5.20			
5:1 shot	\$2.49	\$2.49		
5:1/w/Lepto	\$3.10	\$3.10		
Bord	\$2.55	\$2.55		
FeFiv/LK*	\$12.99		\$12.99	\$12.99
Fei 3:1	\$1.52		\$1.52	\$1.52
Totals	\$13.34	\$8.14	\$14.51	\$14.51

Normal cost per animal adopted

	Dogs	Puppy	Cat	Kitten
HW	\$2.60			
K-9 5:1	\$2.49	\$4.98		
Bord	\$2.55	\$2.55		
FeFiv/Lk	\$12.99		\$12.99	\$12.99
Shot 3:1	\$1.52		\$1.52	\$3.04
Microchip	\$9.00	\$9.00	\$9.00	\$9.00
Totals	\$16.64	\$16.53	\$23.51	\$25.03

	#	Dogs	Puppies	Cats	Kittens	total Animals	Costs Vacc/Testing
1/18/2017	#	9	35	4		48	\$444.48
		\$116.91	\$269.85	\$57.72			
2/14/2017	#	33	9	9		51	\$625.29
		\$426.03	\$69.39	\$129.87			
3/8/2017	#		6 Only 2 lepto			6	\$25.00
			\$25.00				
3/28/2017	#	7	9			16	\$120.66
		\$72.42	\$48.24				
5/3/2017	#	9	5			14	\$161.57
		\$120.87	\$40.70				
5/13/2017	#		11			11	\$82.83
			\$82.83				
6/22/2017	#	4	6	1		11	\$113.03
		\$48.16	\$48.84	\$16.03			
7/1/2017	#	6	5			11	\$108.21
		\$58.20	\$50.01				
8/11/2017	#	11	13			24	\$222.79
		\$104.30	\$118.49				
12/19/2017	#	8				8	\$106.72
		\$106.72					
1/10/2018	#	7	19	6		32	\$283.88
		\$85.69	\$154.66	\$43.53			
						232	\$2,294.46

6. Justice Court Monthly Report

December 2017

Criminal Cases Filed	153
Civil Cases Filed	885
Traffic Tickets Filed	1,069
Total Cases Filed	2,107
State Assessments	\$81,675.25
County General Fund	\$133,083.84
DPS	\$7,950.00
Total Collections	\$222,709.09

7. Board Attorney – Make a Part of the Board Minutes

- a. MOU with DeSoto County Convention and Visitors Bureau for Feasibility Study

8. Business Investment Incentives – Final Resolutions

- a. Autoliv ASP, Inc. - 10-Yr. Real & Personal Property (New): \$10,402,031.00
(\$10,101,292. – Real + \$300,739. – Personal) Effective: 01/01/2018 – 12/31/2027
- b. SYNEX Corporation 10-Yr. Real & Personal Property (New): \$15,833,636.00
(\$7,521,500. – Real + \$8,312,136. – Personal) Effective: 01/01/2018 – 12/31/2027

9. Grant Administration – To Make a Part of the Board Minutes

- a. Quarterly DRA Reporting

10. Sheriff's Department – Uniform Reimbursement

11. Office of Procurement –

- December Procurement Card Purchases & Authorize Clerk to Write Check
- IT – Security Certificate Renewal for Web Mail
- Road Department – Engineer License Renewal

12. Contract Administration – Make Part of Minutes – University of MS/Sheriff's Department Affiliation Agreement

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the actions and matters presented 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 F.

G. OLD BUSINESS

1. 10:00 a.m. – Public Hearing – Lewisburg Fire District Annexation – Tract 3

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to open the Public Hearing to determine the final annexation of Tract 3 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 the annexation of Tract 3. He stated the Board determined the public necessity on December 18, 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 Jessie Medlin seconded the motion to authorize the annexation of Tract 3 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 Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to close the Public Hearing.

The motion passed by a vote as follows:

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

See Exhibit G.1.

2. Sheriff's Department – Securus "Stop" Contract

Mr. Nowak stated this contract has been in place for a while and it states the Sheriff's Department will pay for part of the invoice and the proceeds from the Sheriff's Commissary pay part. He said the Audit Department maintains the Sheriff's Department has to pay the invoice in full and get the commissary commission paid to them in full. Mr. Nowak stated Securus agrees with the changes that need to be made.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to to approve the addendum to the contract, as presented, for the Sheriff's Department to pay invoices in full and Securus to pay the Sheriff the full commissary commission, and authority the Board President to sign.

The motion passed by a vote as follows:

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

3. Environmental Services – Rubbish Pit Contract with Environmental Business Services with Changes

Environmental Services Director Ray Laughter stated that there were a couple of things on the contract that Mr. Nowak changed, with Board approval, and Mr. Jim McNaughton has agreed to the changes. He stated Mr. McNaughton had informed him that they made some borings on site and there may be some rubbish that has gone outside the boundaries. Mr. Laughter said they are addressing that issue. He stated Mr. McNaughton is moving forward with that and keeping him informed on the progress. Mr. Laughter stated they are hoping for a positive report from MDEQ. Mr. Laughter told the Board that he thought this might have happened before the County was required to get permitted for the site.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the contract with the changes as presented and authorize the Board President to sign.

The motion passed by a vote as follows:

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

See Exhibit G.3.

4. Appointments by Board of Supervisors

a. Agri Education Exploratory – At Large – Vacant

This item was removed from the agenda.

Supervisor Russell stated they did have an appointee for District 3 and he would like the Board approve Randy Denton for that position.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to appoint Randy Denton as the District 3 appointee on the Agri Education Exploratory Committee.

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>

b. Keep DeSoto County Beautiful Committee – District 2, District 3, District 5

Supervisor Russell stated the District 3 appointee will be Janice Knight and he would like a letter sent to Gerald Wheeler thanking him for his service in the past.

Supervisor Gardner asked to reappoint Anna Dickerson to District 2.

Supervisor Lee asked to hold over the District 5 position.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to appoint Janice Knight as the District 3 appointee, Anna Dickerson as the District 2 appointee, and hold over the District 5 position.

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>

c. B.J. Chain Library Advisory Board

Supervisor Medlin said it is his understanding that if a person lives in, or owns property in, the Supervisor District or within the same city limits of the library; they can serve on the advisory board. Mr. Nowak affirmed. Director of Procurement and Administrative Services Pat McLeod stated they had put Mrs. Craig on the M.R. Davis Board and have now found out she lives within Olive Branch city limits; and she would like to remain on the B.J. Chain Board.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve Daphine Craig as the District 1 appointee to the B.J. Chain Library Advisory Board.

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>

d. M.R. Davis Library Advisory Board – District 2

Supervisor Gardner asked to hold this over.

e. Ozone Action Committee – District 3

Supervisor Russell asked to hold this over.

See Exhibit G.4.a.-e.

5. Committee List Update

Mrs. McLeod stated that several weeks ago the Board showed interest in changing some committees. She stated the Administrative office has looked at the committee list and updated it. She pointed out there are some recommendations to make committees inactive. Supervisor Gardner stated those committees have fulfilled their purpose and are no longer necessary.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to adopt all the committee recommendations as presented by Mrs. McLeod.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
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Supervisor Mark Gardner, Second District	<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 G.5.

6. Homeowners Association Legislation – Board Order

Mr. Nowak stated Senator Massey has introduced this bill again this year. He stated Senator Massey would like to have a resolution from DeSoto County supporting the legislation. Mr. Nowak said it is the same resolution the Board sent last year.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to authorize the Board President to sign the resolution supporting the formation and administration of Homeowners Associations and send it to Senator Massey.

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 G.6.

7. Cluster Mail Boxes

Mrs. Lynchard said Supervisor Lee received a call from Mary Margaret at Senator Wicker’s office and she informed him that Madison County recently had a development that would require the citizens to travel 15 miles to collect their mail. Mrs. Lynchard stated the situation was worked out and the Post Office agreed to exclude all the previous cluster boxes in Madison County as well. She said Senator Wicker’s office recommends meeting with the postmaster and talking about it.

Mrs. Lynchard suggested if she was successful in setting up this meeting the Board might want to form a committee to meet with the postmaster. Mrs. Lynchard stated the hope was to get a decision that previously approved cluster boxes would be excluded.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to form a Cluster Mailbox Committee consisting of Planning Director Bennie Hopkins, Deputy Planning Director Austin Cardosi, Board Attorney Tony Nowak, County Administrator Vanessa Lynchard, Supervisor Jessie Medlin and Supervisor Michael Lee.

The motion passed by a vote as follows:

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

8. Central Church – Tax Situation

Mr. Nowak stated he has looked into the taxes for Central Church and they are liable for tax unless they had significant use as of January 1st. Supervisor Gardner said he has spoken with the

pastor and they will be signing a promissory note to their association to borrow the \$18,000.00 to pay their taxes. Mr. Nowak said they should be okay for 2018 as they have already started services this year. He stated he would be glad to look at anything the pastor brings to show they had activity in 2017.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize Mr. Nowak to speak with the pastor of Central Church and see if they qualify for the 2017 tax exemption.

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. NEW BUSINESS

1. 9:30 a.m. – Health Insurance Renewal

Mrs. Lynchard stated this presentation was scheduled for January 16th and Lipscomb & Pitts rearranged their schedule to be at this Board meeting. The Board expressed their thanks to the Lipscomb & Pitts staff.

Mr. Craig Wright stated the Humana medical plan, stop loss for large claims, and all the items listed are up for renewal. He stated these plans are currently under Humana and Cigna. Mr. Wright stated the stop loss, Cigna medical and Cigna dental are flat; as is the vision plan. He said they went to 27 markets and got 6 quotes. Mr. Wright said Humana ended up being the best offer as other companies wanted to include lasers (price adjustments) to their quotes. Mr. Wright pointed out the current stop loss premium is \$705,374; but with a good bit of large claim activity, the premium went to \$844,000. Mrs. Lynchard informed the Board that Humana originally came back with a 19.4% increase and Lipscomb & Pitts negotiated it down. Mr. Wright stated the total liability for the plan is currently \$7.24 million; and Humana is reducing that to \$7.01 million. He stated the actual premium is going up, but the liability total is going down. Mrs. Lynchard stated the County had 4 stop loss claims that hit the plan.

Supervisor Gardner asked if Lipscomb & Pitts had any input on how Humana handles their call center. Mr. Matt Lipscomb said they have thousands of people working there and the service depends on the person that answers the phone. Ms. Jennifer Watson stated the call center is local, not overseas.

- a. Life & Disability**
- b. Vision**
- c. Dental**
- d. Medical**
- e. Supplemental**
- f. Rx'nGo**
- g. Telemedicine**

Ms. Watson referred to Tab 5 in the handout, page 2, which showed that Cigna was proposing a 22% increase on the short-term disability and life insurance that the County provides the employees. She noted page 3 shows the comparison with Symetra and said the County would save \$15,609 annually as well as saving \$1600 on the life insurance. Ms. Watson stated they negotiated with Cigna and they agreed to hold the rates flat, but they would not reduce to where Symetra is.

Ms. Watson stated there are also contract advantages to Symetra such as employees being able to purchase additional amounts of insurance without medical review. She said they can purchase up to \$50,000 additional for employees and \$25,000 for spouses. Another advantage is Symetra has agreed to waive the 3-month pre-existing exclusion on short-term disability.

Supervisor Russell asked why the rate was not guaranteed for 3 years. Ms. Watson stated most companies will not do a 3-year rate guarantee, but they did agree to a 2-year guarantee and if the lowest ration is met, they will go to a third year. Mr. Wright stated 2 years is generous as most carriers do not offer more than that. He said they can look at claims history and short-term disability can be somewhat volatile. Ms. Watson also pointed out that the voluntary rates were matched by Symetra and there would be no increase unless the employee goes into a higher age band.

Ms. Watson pointed out the County will save just over \$17,000 with Symetra and with Cigna; the rates would remain the same.

Ms. Watson stated there is no change in vision this year as the County is in the 2nd year of a 2-year price guarantee.

Ms. Watson stated the dental plan is administered by Humana, and there are no changes. She stated they initially proposed an increase to the administrative fees but after negotiation, they agreed to waive the increase. She stated the claims are increasing slightly by 5.66%.

Supervisor Gardner asked about the 543 participants and if all dentists would accept the charges. Ms. Watson stated every dentist in network with Humana has to accept the charges agreed upon.

Ms. Watson directed the Board to Tab 9 to discuss a new vendor. She stated Rx'nGo will have no administration fees; the members will just pay the cost of claims. She stated Rx'nGo negotiates deeper discounts of 90-day supplies on maintenance medications and the members would not have to pay a copay. She stated most maintenance medications have an option under Rx'nGo. Ms. Watson said they are working on including more diabetic medicines.

Supervisor Medlin told the Board that some medicines might cost the County a little more, but the program will encourage employees to go toward generic drugs and there will be an overall savings.

Ms. Watson said Rx'nGo will send custom mailers to all members with a list of medications. Supervisor Russell stated the list needed to be in alphabetical order. Ms. Watson said that was not a problem. She stated the list the Board got is sorted by claims. She also informed the Board that the list is on Lipscomb & Pitts' website and Rx'nGo's website.

Mrs. Lynchard stated Rx'nGo was at no cost to the County, only claims would be paid. Mr. Wright stated it is a totally voluntary program. Supervisor Medlin said the Insurance Committee talked about this several months ago and decided the County could try it a year and if it is not satisfactory, they can drop it. Mr. Wright stated they will have an analysis of claims to show the savings after using the program for a time.

Mrs. Lynchard stated the Board needed to discuss Telemedicine. She stated that presently there are less than 30 employees registered for Teladoc. She stated Lipscomb & Pitts has information on what's trending in the market. Ms. Watson stated they have been working with their council to keep up with what is going on in this industry. She stated ACA health law requires every health plan to offer basic plans, and right now Telemedicine programs are not meeting those requirements. She said they have been advising their clients to be compliant by merging the

enrollment on Telemedicine to their health care plan. That would insure that everyone on Telemedicine had major medical coverage as well.

Mrs. Lynchard stated the County has Teladoc through SouthGroup Insurance as a voluntary program. She said one of the plans Lipscomb & Pitts is presenting would require employees to pay a copay for each call and the County would pay .45 per employee, and the other plan is a cost to the County of \$3.05 per employee whether they participate or not.

Supervisor Medlin stated employees can still have the plan they are on now, and just not pay it through the payroll system. Ms. Watson stated there could be penalties if the plan is not ACA compliant, but as of now, the federal government is not fining anyone that is non-compliant. It was not clear what kind of penalties would be assessed. Ms. Watson said the County is sponsoring the program by offering a payroll deduction.

Supervisor Caldwell said there was a lot of speculation around this issue and it seemed absurd to decide on something that may or may not happen. Mr. Lipscomb stated the County is not in compliance right now, and it is his company's job to point out the risk. He stated the law is not well written, so things are not all spelled out. Mrs. Lynchard stated Human Resources can get with SouthGroup and let this be by employee and not through the payroll.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to accept the recommendation of the Insurance Committee to renew Humana coverage, approve Rx'nGo, discontinue Telemedicine, move to Symetra for life and short-term disability, 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 H.1.a.-g.

Davy Hunt from SouthGroup came later to address the question the Board had about Telemedicine. He stated if the County is not pre-taxing the Telemedicine deduction, they should be safe. Mr. Nowak stated he found contrary opinions when researching this issue. Mr. Hunt said the main reason they think that is Teladoc is not insurance, it is a service. He stated Teladoc is owned by New Benefits and they are filed with the State as a Discount Medical Plan Organization (DMPO). He said being filed with the State gives them more clout. Mr. Hunt stated that the Teladoc fees are also deducted post-tax. He said he talked with the New Benefits rep and they think DeSoto County is good. He stated he will speak with their attorney and be sure. Mrs. Lynchard asked if the Board wanted to make Teladoc an individual benefit if the price would remain the same. Mr. Hunt stated it should stay the same. Mr. Nowak recommended getting something from New Benefits/Teladoc in writing to state there is no risk to the County. Mr. Hunt stated he would get that information and forward it to the County.

2. Contract Administration

a. Human Resources – Rx'nGo Service Agreement (2) – Signature Required

Supervisor Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the agreements with Rx'nGo and authorize the Board President to sign the necessary documents as discussed.

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>

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b. Facilities – Cummins Mid-South – Signature Required

Facilities Director Robert Jarman stated this contract adds the generator for the Sheriff's Department to the agreement.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to approve the contract with Cummins Mid-South and authorize the Board President to sign the Contract as discussed.

The motion passed by a vote as follows:

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

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c. Facilities – Baker Roof Assurance

This item was deleted from the Agenda.

3. 1:30 p.m. – Open Enrollment – Presentation of 2018 Open Enrollment Offers

Mrs. Lynchard stated this presentation was supposed to have happened a week in advance of open enrollment, but it is still beneficial. She stated this Board makes employees a priority.

Supervisor Gardner stated there was good participation with the employees earlier.

Mrs. Richmann stated they tried very hard to be sure all employees got advance information on what would be available to them at open enrollment. Supervisor Russell asked if everyone was required to come. Mrs. Richmann said they are because updated information is needed. She said it has been several years since everyone was required to come. Mrs. Richmann went over the handout that showed the steps taken to get the information out, what would be available at open enrollment and premium and benefit history.

Mrs. Lynchard encouraged all the managers present to be sure their employees are aware of what is available. Mr. Kennedy stated when they get information at the Road Department it is posted by the time clocks and the employees are given copies.

See Exhibit H.3.

4. Fire/EMA

a. Request Authorization for Board Attorney to Conduct Training for Fire Commissioners

Supervisor Caldwell stated the Steering Committee had found that new fire commissioners and those who are already serving need to know what they are supposed to do and what their responsibilities are. Chief Storey stated the Fire Chiefs also need training. Supervisor Caldwell said some protocols need to be in place as well as provisions saying who needs to be on the commissions. Supervisor Medlin asked if the Board could also get training. Supervisor Caldwell stated the Board should receive an update after the protocols are in place so that everyone will understand the roles of the commissioners.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to authorize the Board Attorney to conduct training for Fire Commissioners, Chiefs and any other necessary personnel on their roles and responsibilities.

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>

b. Lewisburg Volunteer Fire Department Request to Purchase Extraction Tools

Supervisor Caldwell stated when the request for tools was first brought to the Steering Committee, they turned it down. She reminded the Board that the capital improvements fund has only been for buildings in the past. Supervisor Caldwell said the equipment is the “jaws of life” tool and Lewisburg VFD feels strongly they need updated equipment with the coming of I-69. Chief Storey stated they would like to donate their old equipment to the ACI Fire Department.

Supervisor Medlin asked what pool of money this expense would come from. Supervisor Caldwell said this is the \$150,000 the Board set aside for capital improvements. She said Lewisburg is the last fire department to receive the funds, and they do not need anything for their buildings.

Supervisor Gardner stated the Board has been making improvements over the years, and they have made it through the list of fire departments. He asked if the capital improvements fund was a forever commitment. Supervisor Caldwell stated it has worked well, and the County owns most of the buildings. She stated the commitment depended on the Board and the needs brought forward from the fire departments. She said the committee looks at improvements to buildings first, but if the greater need is something like this they will look at it.

Supervisor Gardner asked if the extraction equipment was all run with batteries now. Chief Storey affirmed and said the batteries are actually more powerful than the old hydraulic equipment. He said every year the fire departments ask for extraction tools, uniforms, tools, etc. and a lot of it is purchased through the grant process. He stated they are all starting the conversion to battery-powered equipment.

Supervisor Caldwell informed the Board that if this purchase is approved, the fire department will be responsible for replacing the batteries when that time comes.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve the purchase as presented in Exhibit H.4.b. from the Fire Department capital improvements 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 Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.4.b.

Addendum: Sheriff Rasco informed the Board that the car donated to Lewisburg VFD from the Sheriff's Department 3 years ago is about to play out. He stated he would like to donate them one from the lot they are getting rid of and get that older one back to sell. The Board expressed appreciation to the Sheriff for doing that.

c. ACI Fire Department Storage Container

Mrs. Lynchard stated ACI will purchase the container and paint it to match the building.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to allow ACI to put a storage container at their facility as requested.

The motion passed by a vote as follows:

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

5. Animal Services – Feb”fur”ary Adoption Promotion & Services for February

Animal Services Director Monica Mock stated they would like to offer bi-annual shots for citizens' pets in September and February. She stated people rely on the shelter for low-cost shots. Mrs. Mock stated they will not be having an adoption special as they don't have many animals at this time.

Supervisor Medlin asked about the shelter's capacity. Mrs. Mock stated they presently have about 70 animals but capacity is around 220 with puppies and kittens sharing kennels. She stated the building was built so well with 6 different kennels; they can separate the animals as needed. Mrs. Mock said one kennel is empty right now.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the Feb”fur”ary event and approve the fees proposed.

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 asked if the shelter had tracked any of the Wings of Rescue dogs. Mrs. Mock stated they are not given that information, but they have been told that the average shelter stay in a shelter is 2-5 days. She said the animals go to Seattle, Idaho, Wyoming, Oregon, and they did

a land transport to Pennsylvania recently. Mrs. Mock said they have gotten a few calls and the animals are getting into homes.

See Exhibit H.5.

6. NFusion Grant Update & Authority for Attorney Review & Contract Update

Mrs. Lynchard stated she, Mrs. Freeze, Mrs. Hanks, and Mr. Kuntz recently met about the NFusion grant. She said they then met with Mrs. Sylvester and Mr. Nowak to gather information and look at the program. Mrs. Lynchard stated this is the beginning of the 3rd year of the NFusion grant; year 2 budget has been approved and year 3 budget is ready to be approved. She informed the Board that Mr. Kuntz has found out that the NFusion inventory needs to go on the County inventory; and that will make insurance a topic of conversation. Mrs. Lynchard stated the inventory could be a problem when the grant is over as things have to be sold at fair market value.

Mrs. Lynchard also said they determined the contract with Region IV is a 3-year contract, but the grant is a 4-year grant. She said the Board needs to look at how Region IV and the County are protected as we come to the end of this grant.

Mrs. Lynchard stated they are asking for authority for the Board Attorney to see how the County needs to position looking toward the end of the grant. She reminded the Board that the intention was that NFusion would be self-supporting after the grant

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the firm of Smith, Phillips, Mitchell, Scott & Nowak to review the NFusion contract and NFusion grant documents and make recommendation as to how to prepare the County and Region IV for the future ending of the grant.

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 Caldwell stated she was concerned that there is so much federal money for the program and they are going to be charging clients. Mrs. Sylvester stated they will only charge through insurance and Medicaid as required by the grant. She stated they just found out that Region IV will be putting in more money and there will be less federal money. She stated a lot of employees are paid at 75%, so the fees will also pay part of their salaries.

Supervisor Caldwell asked what would happen to the clients that did not have insurance. Mrs. Sylvester said the grant will cover those clients. Mrs. Lynchard stated the grant was written to be a gradual way to being self-supporting.

Supervisor Caldwell said she did not think that NFusion would be buying themselves vehicles. Mrs. Sylvester stated they had a contract with an agency that provided transportation, but they are very unreliable and many clients were not getting to their appointments. She stated the patients were at a disadvantage.

Supervisor Gardner stated the Board has to consider who will take care of insurance, vehicle maintenance, etc. Mrs. Sylvester stated Region IV will take care of that. Mrs. Lynchard stated they are trying to find out what the County's liability is.

7. Sheriff’s Department – Approval to Accept Restricted Donation

Mrs. Lynchard stated this is from the FedEx Pilots’ Charitable Fund for the Shop With a Cop program.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to accept the donation and expressed appreciation to the FedEx pilots for their generosity.

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.7.

8. Mississippi Department of Treasury – Unclaimed Property

Mrs. Lynchard stated she received a letter from the State Treasurer’s office that they would like to come to DeSoto County so the public can come and check to see if they have unclaimed property. She stated, if approved, she will work out a time for Mrs. Fitch’s office to set up in the Courthouse and they will try to put a link on the County website.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the State Treasurer’s office to set up and get the word out to the citizens.

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.8.

9. Office of Procurement

a. Facilities Management – Purchase Exceeding \$25,000: Purchase of Seven Doors for Road Management Building

Mr. Jarman stated these are roll-up doors and they received 2 quotes:

Overhead Door - \$46,434.00
DeSoto Door - \$31,850

He stated the Road Department went through the specs and made sure these were the doors they wanted. Mr. Jarman and Procurement recommend going with DeSoto Door finding them to be the lowest and most responsive quote.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the purchase of seven roll-up doors for the Road Management building and accept the quote from DeSoto Door as the lowest and most 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 YES

See Exhibit H.9.a.

b. Facilities Management – Purchase Exceeding \$25,000 for Audio Visual Equipment for Chancery Courtroom

Mr. Jarman stated this is for the sound system and audio visual system for the new courtroom in the Courthouse. He stated it is the same design as the Board Room and the same as was installed in the Juvenile Courtroom. Mr. Jarman stated they received 2 quotes:

Conference Technologies - \$49,986.43

Academic Tech - \$64,966.91

Mr. Jarman and Procurement recommend going with the lowest and most responsive quote submitted by Conference Technologies. There was some discussion regarding the microphones in the Board Room and their performance. The IT Department will be looking at the system to determine what needs to be done. Supervisor Gardner asked if a decision needed to be made today. Mr. Jarman stated they are at the point to install the wires and putting the decision off would delay the work on the courtroom.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve the purchase of the audio visual equipment from Conference Technologies finding them to be the lowest and most 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 H.9.b.

c. Road Department Emergency Purchases

Procurement Specialist Karen McNeil stated the Road Department had to make 3 purchases during the inclement weather:

- Fix brakes on Spreader Truck - \$634.52 for parts
- Buy salt from DeSoto County Co-op - \$1,048.60
- Buy salt from Tri-County Co-op - \$1,749.30

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to recognize the purchases presented as emergency purchases due to the ice and snow events that caused County offices to be closed.

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.9.c.

d. Addition: Moving Pole in New Courtroom in Courthouse

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to add moving the pole in the new courtroom 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 Michael Lee, Fifth District	<u>YES</u>

Mr. Jarman presented the quote from the contractor to move a pole in the new courtroom.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to leave the pole as is.

The motion failed by a vote as follows:

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

Supervisor Caldwell said the courtroom would be useless with the pole where it sits now. Mr. Jarman stated they will move the pole 6.5 feet to the south and it would not block anyone in the courtroom. Mr. Nowak agreed that if the courtroom was to be fully utilized, the pole has to be moved. He stated it would be impossible to have a jury trial with it as it is.

Supervisor Caldwell asked if the pole could be smaller. Mr. Jarman stated it could be a round post that looks nice and not have the square casing around it. Supervisor Medlin stated the architect should have caught that on the front end. Mr. Jarman agreed.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to authorize Mr. Jarman to have the contractor move the pole as presented.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>NO</u>
Supervisor Mark Gardner, Second District	<u>NO</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.9.d.

10. Office of Finance and Accounting

a. Claims Docket

Chief Financial Officer Andrea Freeze presented a page by page declaration of the Claims Docket. Deputy Director of Finance Stephanie Hanks brought invoice documentation to address any questions.

Mrs. Freeze noted a correction on page 42 – Fleet Management – She stated the fuel bill was keyed in incorrectly, and the total will be reduced by \$740.00.

Supervisor Medlin asked about the following claims:

Page 54 - \$6,000, \$2,000, etc. – Mr. Kuntz stated those are payroll amounts

Page 58 – A&C Surveying – Mr. Laughter stated that is a 3rd party used to do surveying and paid through Mr. McNaughton’s contract

Page 57 – Tradebe – Mr. Laughter stated that is for Household Hazardous Waste Day disposal and it is reimbursed by an MDEQ Grant.

Supervisor Gardner asked about the following claims:

Page 7 – Travelers – Limb truck – Mr. Kennedy stated the truck stopped to pick up rubbish and backed into the car behind him. He said the driver should not have backed up with both employees inside the truck. He said the incident has been addressed.

Page 63 – Johnson’s Tree Service – Mr. Kennedy stated he got a call from Supervisor Caldwell about a dead tree. He stated there were 2 power lines and a cemetery and he thought it best to hire a professional. Mr. Kennedy stated he called 2 companies on the vendor list, and this was the best price. He stated it was a dangerous situation, and the tree was in the County right of way.

Supervisor Russell did not have any questions.

Supervisor Caldwell did not have any questions.

Supervisor Lee did not have any questions.

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 Jessie Medlin seconded the motion to approve the claims docket and authorize the Chancery Clerk to pay the bills as presented by the Chief Financial Officer; noting the \$740.00 reduction 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>ABSENT</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

b. Region IV Explanation of Bills

This was discussed earlier in the meeting when Mrs. Sylvester was present to give grant update information. Mrs. Freeze stated the bill is a part of the claims docket, and the expense sheet explains the details of the Region IV invoice.

Mrs. Sylvester stated National Strategies is a marketing firm that helps with social media, television spots, etc.

Supervisor Medlin asked what the basketball league was about. Mrs. Freeze stated it is a league sponsored by the Grizzlies.

Supervisor Caldwell stated she is still concerned with the numbers and would like to see more people involved. She asked if NFusion works through the juvenile system and helps offenders. Mrs. Sylvester said they have someone there to help. Mrs. Sylvester stated SAMSA, the organization that monitors the program, is telling them that they expect the numbers to be small. She said SAMSA expects them to have 400 clients at the end of the grant period. She also stated they have numbers on the clients, but they deal with the whole family; so the numbers are not a true reflection. She said the family members also have therapies, and you don’t see that in the numbers. Mrs. Sylvester stated she feels like they will meet the 400 and that is a part of the marketing programs that are going on. She stated again, that SAMSA says they are meeting their goals and SAMSA will be here in June to audit the program.

Supervisor Caldwell asked what kinds of programs are being offered. Mrs. Sylvester stated she wants to get Connie Stewart to come in and give a presentation showing the Board what they are doing and where. She said Ms. Stewart knows more about the hands-on workings of the program.

Supervisor Caldwell stated she is also concerned about follow-up. Mrs. Sylvester stated they are doing a lot of things, but she will have Ms. Stewart to speak to that as well.

Supervisor Gardner stated the Board wants to see their “bang for the buck” and that maybe it is there and the Board is just not aware. He stated he wants to be accountable for what he votes for; and that even though this is a grant, it is ultimately taxpayer dollars. Mrs. Sylvester stated

they have to buy the supplies they need to be prepared when the 4-year grant is up as they will need those supplies to continue the program. She stated that even though they have a lot of money, they try to only buy what they need. She stated they are looking ahead as well as meeting the immediate needs. Mrs. Sylvester stated they lowered their age to 5 because they saw a need in that area. She stated they are doing all they can to reach the mental health issues in the community.

Supervisor Russell informed Mrs. Sylvester that Camp Currier in Eudora has a very elaborate ropes course and it might be good to talk to them about using it. Mrs. Sylvester stated she has also talked to Parkwood and they may have something. She said they decided not to spend the grant money on that because they have found other options. Mr. Kuntz stated there was also an insurance liability concern with the ropes course.

See Exhibit H.10.b.

c. Preliminary Inventory Dispositions – Sheriff’s Department (2)

Inventory Clerk Angie Tapley stated these were armored vests that were expired and equipment that no longer works. She stated some of it was stored at the Road Department and the cameras were from SID.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the inventory dispositions from the Sheriff’s Department 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>

See Exhibit H.10.c.

d. Late Bills (2) – Road Department – Huron Smith Oil

Mrs. McLeod stated she did some research on the price of gas, and the effect of changing volumes because of temperatures. She stated she had gotten bills of lading and talked with a representative of Huron Smith Oil and the TN Department of Agriculture and found that the price of fuel is based on 60 degree temperature. She stated the fluctuation in pricing works out with winter and summer temperatures and prices.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to authorize the clerk to write the check to pay the late bills to Huron Smith Oil 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>

See Exhibit H.10.d.

11. Road Department

Assistant Road Manager Mike Kennedy presented the items from the Road Department.

a. Request to Attend Stormwater Management Workshop

Mr. Kennedy stated Road Manager Andy Swims is asking to attend the Stormwater Workshop in

Memphis. He said there is a \$279 registration fee. Mrs. Lynchard informed the Board that in a meeting with Neel Schaffer last week, they said training is a big part of the County's Stormwater Program and any training is great.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize Mr. Swims to attend the Stormwater Workshop in Memphis and authorize the clerk to write the check for registration fees.

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.11.a.

b. Proposed Disposal Sites for Excavated Materials

Mr. Kennedy stated they have been dredging and have a large amount of excavated materials to dispose of that is of no use to the County. He stated they have had some offers to dispose of the material on private property very close to the worksite and other places that will be good to use and save trips to the rubbish pit.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the proposed disposal sites for excavated materials finding the materials are of no use to the County, it will financially benefit the County to dispose of the materials closer to the work site, and the primary benefit is to the County and not the private landowners.

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.11.b.

c. Finding of Fact – Camp Creek Canal – North of Byhalia Road

Mr. Kennedy stated there is a large tree north of the Camp Creek bridge on Byhalia Road that needs to be removed before it comes farther downstream and damages the County bridge and County road. Mr. Kennedy stated they will have to access the canal by private property.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to authorize the Road Department to gain access to Camp Creek Canal to remove a tree finding that it adversely affects the health and welfare of the public as it poses a potential hazard to the County bridge and County roadway.

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.11.c.

d. Finding of Fact – 1491 Gaines Road

Mr. Kennedy stated that water comes over Gaines Road with any significant rain and the Road Department has worked up and down the ditch from this address. He stated the driveway culvert is the culprit to the flooding issue and it needs to be replaced. Mr. Kennedy stated it is a very old culvert that is undersized and deteriorating. He requested authority from the Board to replace the driveway culvert at 1491 Gaines Road to alleviate the flooding on the County road.

Supervisor Michael Lee made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Road Department to replace the driveway culvert at 1491 Gaines Road finding it to adversely affect the health, safety and welfare of the traveling public because it causes the County road to flood.

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.11.d.

e. Emergency Watershed Protection (EWP) Assistance Request

Mr. Kennedy stated the Road Department is asking the Board President to sign a letter to Natural Resources Conservation Service (NRCS) so they can come and look at some sites that were impacted as a result of the December 19, 2017 storm event. He stated they have to look at the sites to put them on their list. He stated the letter does not obligate the County to anything financially.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Board President to sign the letter to NRCS asking them to look at sites that were adversely impacted as a result of the December storm event.

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.11.e.

12. Grant Administration

a. Request Modification to FY18 DUI Grant

Mr. Kuntz requested the Board President initial and date the modification sheet to the FY18 DUI Grant to include salary reimbursement for attendance at the Standardized Field Sobriety Test Instructor Training in Vicksburg, MS.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Board President to initial the change document as requested.

The motion passed by a vote as follows:

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

See Exhibit H.12.a.

b. Grants Overview & Update

Mr. Kuntz presented a spreadsheet for the Board’s information.

See Exhibit H.12.b.

c. Request to Authorize Signatory for DRA Grant Reporting

Mrs. Lynchard stated this is regarding the Delta Regional Authority grant that North Delta administers. She stated sometimes the reporting window is very narrow and it is impossible to get the documents to the Board meeting for approval to sign and have them turned in on time. Mrs. Lynchard requested the Board authorize the Board President to authorize a designee if the timeline dictates.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to allow the Board President to assign a designee to sign the Delta Regional Authority grant reports if necessary when filing the reports in a timely manner.

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>

d. Federal Grant Update

Mr. Kuntz stated he received an email late on Friday stating that the Federal Government will have to suspend funding for some grants due to the Federal Government shutdown. He stated he will get additional information regarding some of the grants. Mr. Kuntz stated SAMSA will continue to fund through their automated system, but if additional information is required for any reason, they will not be able to use the automated system. Supervisor Gardner stated SAMSA may call to send all the employees home that are covered under the grant.

Mrs. Lynchard stated the other Federal grants that the County has have already appropriated the money to the State and the State sends it out. Mr. Kuntz stated he will double check that.

See Exhibit H.12.d.

e. JAG Grant

Mr. Kuntz requested approval for the Board President to sign the modification paperwork when it is completed.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize the Board President to sign the modification paperwork for the JAG grant as requested.

The motion passed by a vote as follows:

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

See Exhibit H.12.e.

13. Board Attorney

a. Delta State/Sheriff Intern Agreement

Mr. Nowak stated Delta State has requested to have an internship agreement with the Sheriff's Department for their law enforcement students. He stated the agreement would be like the ones in place with Ole Miss and Northwest.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to authorize the firm of Smith, Phillips, Mitchell, Scott and Nowak to draw up an internship agreement between Delta State and the Sheriff's 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 Michael Lee, Fifth District	<u>YES</u>

b. Request Authority to Review Aptean Agreement for Sheriff's Department

Mr. Nowak stated the Sheriff's Department has had an agreement with Aptean for some time, but this is a new contract and it is about 20 pages long. He requested authority to review the contract.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize the firm of Smith, Phillips, Mitchell, Scott and Nowak to review the Aptean contract.

The motion passed by a vote as follows:

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

c. Planning Commission – Verizon Wireless – Approve Board Order Denying Conditional Use

Mr. Nowak stated the Telecommunications Act requires the denial be put in the form of a Board Order. He stated he has drafted an order for Board approval and approval for the Board President to sign the order.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the Board Order denying conditional use to Verizon Wireless and authorize the Board President to sign the order.

The motion passed by a vote as follows:

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

See Exhibit H.13.c.

14. Holiday Closure Proclamation–President's Day (Feb 19th)& Good Friday (March 30th)

Mrs. Lynchard stated the Governor has proclaimed President’s Day on Monday, February 19th to be a State Holiday. She informed the Board that the Tax Assessor has asked the Board to make a decision about Good Friday, because March 30 is the last day to sign up for Homestead Exemption. Mrs. Lynchard reminded the Board they have usually honored what the employees wanted and given Good Friday.

Supervisor Medlin asked if Confederate Memorial Day was a discretionary holiday. Mr. Nowak stated the definition of discretionary holiday is one you can swap for another day.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to recognize Monday, February 19th as a holiday and Friday, March 30th as a holiday in which all County offices will be closed.

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

See Exhibit H.14.

15. Appointment of Special Prosecutor for 12/14/2017 & Authorize Clerk to Write Check

Mrs. Lynchard stated this was from one of the days that Mark Sorell was sick in December and the Judge appointed Stacy Spriggs as Special Prosecutor.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to authorize the clerk to write the check to Stacy Spriggs as Special Prosecutor on 12/14/2017.

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.15.

16. Human Resources – Drug Testing Changes

Mrs. Richmann stated the Department of Transportation regulations require 4 extensions of opiates to be screened. She stated the company that does the drug screens has increased the County’s rate by \$2 per test. Mrs. Richmann stated that is for DOT testing only. She stated if the Board wants the additional screening for all employees she will let the lab know.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to authorize Mrs. Richmann to inform the lab that the County wants all employee screenings to include the 4 extensions of opiates.

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

17. MAS Update

Supervisor Lee stated it was a good meeting and they heard a lot about legislation on reverse bidding.

Supervisor Caldwell stated the rural fire truck fund will not be funded this year.

Supervisor Gardner stated there was a lot of talk about transportation funding, and trying to get extra funding. Supervisor Caldwell stated they were talking about \$750,000 in extra funding which equates to about ¾ mile of road. Supervisor Medlin asked if the legislature realized that bridges in municipalities are not taken care of by the cities; that most of them are State Aid bridges.

Supervisor Gardner stated he had a House Bill 585 Task Force meeting with Rep. Bill Kincade and there is still a lot of talk about criminal justice reform. He stated he asked about the request to only keep state inmates 14 days, but there's no change on that yet. Supervisor Medlin noted that the Sheriff's Department has not brought the MDOC reimbursement for a few months.

Supervisor Caldwell said the gas tax is gathering traction and the DeSoto County Legislators are listening to the benefits of the tax. She said the Board needs to get information on how the tax will benefit DeSoto County and how the money will be spent. Supervisor Caldwell also said all the elected officials are joining together to try and get a pay increase for all rather than one group on its own.

Supervisor Lee stated mental health and drug abuse were also big topics. He said he learned that there were only 15 beds in the state hospital dedicated to mental health and drug abuse, and that is why the waiting list is so long. He also said the number of beds has not changed since the 1940's.

Supervisor Medlin asked about the talk of having people from out of state come in to inspect bridges. Supervisor Caldwell said they don't want that to happen. She also said they heard that MDOT would have no new builds and they will only be doing maintenance. She said she asked about widening Highway 51 when new industry opens, and they said that would come through economic development rather than new building.

Mrs. Lynchard said at the County Administrators' meeting they talked about GASB 77, government standards, where counties will have to report on all companies that get an abatement on their taxes as an opportunity for the public to see what the companies receive. She said counties will have to report on other entities such as telecommunication lines and there will be a lot of information required. She said the auditors said they will not provide a template because it will be so hard to figure. Mrs. Lynchard stated no other county has close to what DeSoto has. She said she would like to take a group to meet with the MS Development Authority (MDA) to get more information. She said in their meeting, they were told counties will probably get fined for this. Mrs. Lynchard said she would like to start organizing those meetings, as DeSoto County has a great story to share.

Mrs. Lynchard said GASB 74 & 75 say if you offer benefits to retirees, they want you to hire an actuary to report to the public. She said the misconception is that retirees are a bigger expense, but that is not true.

Mrs. Lynchard said they talked about reverse bidding and the conflicts between this law and existing purchasing laws. She shared a good bit of information regarding reverse bidding with the Board. Supervisor Gardner asked Mrs. Lynchard and Mrs. McLeod to get together a recommendation on how DeSoto County will be approaching this matter.

**18. Approval to Travel – Economic Development Legislative Day – February 22
Add: North Delta Legislative Day January 24**

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to authorize travel to the Economic Development Legislative Day on February 22, and North Delta Legislative Day on January 24 to any Board members or their designees.

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>

19. County Maintenance Shop – Oil Recycling

Mr. Laughter stated there are 2 locations where citizens can take used oil; Central Maintenance and the Eastern maintenance barn. Supervisor Russell said the Northern barn also takes oil. Mr. Mike Kennedy stated there actually are above-ground tanks of different capacities at all the satellite road barns and a 1000-gallon underground tank at Central Maintenance.

Supervisor Medlin stated Universal charges \$65 per pick-up to collect the used oil. He stated that someone has contacted him about collecting the oil to recycle to heat his business. Mr. Nowak stated this would be equivalent to the silt removal in that the oil is of no use to the County, and it would save the removal charge. Supervisor Medlin stated the gentleman said he can use all the used oil the County collects and he has a place to store it.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to authorize the firm of Smith, Phillips, Mitchell, Scott and Nowak to draw up a contract with the man, inform him of the collection sites, and have a pick-up schedule.

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>

20. Request to Void Tax Sales

- a. Trejo – Parcel #1086-2410.0-00207.00**
- b. Brewer – Parcel #1078-3405.0-00001.00**

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to set aside the prior tax sales for the parcels listed as recommended by the Tax Collector and approve refunding the money received from the prior tax sale as further explained in Exhibits H.20.a. & H.20.b.

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

See Exhibit H.20.a. & H.20.b.

21. Environmental Services – Rubbish Pit

a. Pipes Encroaching at the Rubbish Pit

Mr. Laughter presented photos showing pipes draining into a pond at the Rubbish Pit that are coming from Memphis Stone & Gravel’s site. Mr. Laughter stated the pipes have been there for many years. He said if they have to leave those pipes in place, it could be more expensive to expand the Rubbish Pit. He requested the Board Attorney to see if the pipes could be moved and come up with an alternative to present. Mrs. Lynchard stated it was important to take care of this quickly.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to authorize the firm of Smith, Phillips, Mitchell, Scott & Nowak to look into moving the pipes and talk with Memphis Stone & Gravel about an alternative solution.

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.21.a.

b. Public Hearing for Emergency Disposals

Mr. Laughter stated when Waste Pro had to shut down the Star Landing pit during the inclement weather; they would have liked to extend their hours when they re-opened. Mr. Nowak stated there has to be a public hearing to alter the conditional use provided for the Star Landing pit. He stated the Board could possibly add a clause to allow them to extend their hours in case of an emergency.

Supervisor Russell stated he did not want the Board to have to meet, and suggested allowing Mr. Laughter authority to make that decision. He said it would have solved a lot of problems over the weekend.

Supervisor Medlin also talked about sending the overflow of rubbish to the Tunica pit run by Waste Connections in such cases of emergency. Mr. Nowak stated he would have to review the contract to see what it says. Supervisor Medlin said it might be good to have something in place in case of emergency. Mr. Laughter said options would be helpful.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize the firm of Smith, Phillips, Mitchell, Scott & Nowak to look into options for conditional use for the Star Landing pit and research the contract with Tunica.

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>

22. Human Resources – Tax Table Changes

Mrs. Richmann stated the next paycheck will reflect the changes brought about by the new tax laws. She stated it is not necessary for employees to fill out new tax forms. Mrs. Richmann

stated they randomly checked some paychecks, and on every one they looked at the employee will be bringing home more money.

23. Justice Court

a. MSB Contract

Justice Court Clerk Pat Sanford reminded the Board that he had previously requested to terminate their contract with Graphite and change to MSB. He stated MSB had gone through a merger and they are just now sending him a contract. Mr. Sanford stated the Board Attorney has reviewed the contract and made some changes. He stated MSB is still willing to pay the termination fee with Graphite. Mr. Sanford requested sending a letter terminating the Graphite contract at the end of February, and entering into a contract with MSB. He stated MSB said Justice Court can be up and going on March 1st.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to authorize a letter to Graphite terminating their contract with Justice Court on February 28, 2018 and entering into a contract with MSB beginning March 1, 2018 and authorize the Board President to sign any 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>

b. Prosecutor for Plea Days

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to move this item from Executive Session to Open Session.

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

Mrs. Lynchard stated that Justice Court used to have only one plea day per month with a prosecutor present. She stated the courts now have 5 plea days per month and they do not have a prosecutor for them. Mrs. Lynchard said the judges agree that some of the cases could be dismissed if there was a prosecutor present.

Supervisor Medlin stated people used to go before the judge, plead guilty and pay their fine. He asked if the process changed. Mr. Sanford stated some judges will do that and some will not. He said some judges are not comfortable taking a plea. He stated most people come to plea day and plead not guilty because the officer is not present. He also stated 20-25% of the people that come on plea day only want to know how much their fine is and pay it. Mr. Sanford said if the Board would allow them to bring in a prosecutor, about 20-25% could set up a schedule to pay. He said another 20-25% just want to have time to get a tag, fix a headlight, show proof of insurance, etc. Mr. Sanford maintained that 40-50% of cases that come in on plea day could be taken care of that day rather than coming another day for a trial if a prosecutor was present.

Mr. Sanford stated Mark Sorell has agreed to come in on the 5 plea days a month and Jim Holland said he will cover the days Mr. Sorell cannot come. Mr. Holland reminded the Board that they can fire the prosecutor if he does not show up for 10 days in a row. Mr. Sanford stated everyone understands if there is not a prosecutor on plea day, they will not ask for a special prosecutor. He stated the advantage to this is an officer will not have to sit in the courtroom. Mrs. Lynchard asked Mr. Sanford and Mr. Holland to keep up with the days no one is there.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to hire Mark Sorell at \$6,000 per year and approve a budget amendment from ending cash to pay for a 6-month trial period.

The motion passed by a vote as follows:

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

24. Airport Hangars –Ad Valorem Tax

Chancery Clerk Misty Heffner stated her office has been researching some past due property taxes and one of her clerks noticed a different code on one tax bill. She stated they researched and found out it was an airport hangar. Mrs. Heffner stated the tax was not for the land, but for the hangar itself. She stated if it went through a tax sale, there would be no transfer of deed as there is no record of ownership.

Mr. Nowak stated his office spent some time looking at this. He stated the airport entity should be paying the taxes on the land, but they can lease or sell the hangars. Mrs. Heffner stated the hangar was lost through the tax sale previously, but the buyer sold it back to the original owner. She stated they tracked down the current owner, who paid cash for the hangar, and he was not aware he owed taxes on it. She stated he has paid the taxes for the past 2 years.

Mrs. Heffner stated going forward she would like to be in agreement with the Tax Assessor's office to assess the airport the taxes and have them collect the hangar taxes from the owners. Mrs. Heffner requested authorization for the Board Attorney to work on this if necessary.

Supervisor Mark Gardner made the motion and Supervisor Michael Lee seconded the motion to authorize the firm of Smith, Phillips, Mitchell, Scott & Nowak to work on this matter further if necessary.

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>

Addition: 25. Approve Fund Raiser to Benefit Animal Shelter

Mrs. Mock stated she had received word from FedEx Ground in Olive Branch saying they would like to sponsor a community event to raise money for the Animal Shelter.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to authorize Mrs. Mock to accept the offer of a fund raiser from FedEx Ground to benefit the Animal Shelter and accept the donation.

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>

Addition: 26. Approve Receiving Checks from Class Action Law Suit

Mrs. Lynchard stated 2 checks came in the mail from a class action lawsuit regarding bonds. She stated Finance Department will have to determine how much goes to the Civic Center and how much goes to the County.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to accept the two checks from the class action law suit for the Civic Center and the County and for the Finance Department to determine the amounts due each entity.

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>

I. PLANNING

1. PUBLIC HEARING - 11:00 a.m.

Supervisor Gardner recused himself from this item.

Supervisor Caldwell made the motion and Supervisor Lee seconded the motion to open the Public Hearing of the Ibrahim Babukr Board of Adjustment decision advertised for this day.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	ABSENT
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

i. Appeals

- a. **Appeal by Ibrahim Babukr of the Board of Adjustment decision to deny a Conditional Use request by Ibrahim Babukr to allow gas pumps for a convenience store.**

Mr. Hopkins presented the appeal request by Ibrahim Babukr and stated this requested was tabled at the November 20, 2017. He stated Mr. Babukr is appealing the Board of Adjustments denial of a Conditional Use to allow gas pumps to go with a convenience store.

Mr. Barry Bridgforth, Jr. - 5293 Getwell Road came forward and stated he was representing Mr. Babukr for the appeal. He presented a packet to the Board and stated this item was tabled in November to allow the applicant to speak with MDOT about where the curb cuts could be located on the proposed site. He then stated they have not received final approval from MDOT on the curb cuts at this time. Mr. Bridgforth stated that included in the packet are drawings of the original proposed curb cuts and drawing of the curb cuts they are proposing at this time. The proposed curb cuts have not been approved yet by MDOT. He stated the packet also includes elevations, lighting location, etc. He stated the lights will be located lower than the height of the building. Mr. Bridgforth stated the gas pumps ???(the gas pumps are located between the gas pumps???) will be located between the gas pumps and Goodman Road as far as possible from residences in the subdivision. There will be a 20 foot landscape buffer to include private hedges as shown on the landscape plan in the packet presented.

Supervisor Lee stated that it appears the curb cut onto Fox Creek Drive has moved from where it was located on a previous drawing. Mr. Bridgforth stated it has moved at the request of MDOT.

Supervisor Caldwell asked how many gas pumps are proposed for this site. MR. Bridgforth stated there will be approximately 8 gas pumps.

Supervisor Caldwell asked if the area in front of the building will be asphalt. Mr. Bridgforth stated the area in front of the building will be a parking lot and there will be a drive around the rear of the building.

Supervisor Medlin asked if there will also be a median cut on Goodman Road where the curb cut is. Mr. Bridgforth stated MDOT did not approve a median cut on Goodman Road, but there is one at Fox Creek Drive. Supervisor Medlin stated that he is concerned with safety due to there not being a median cut where the curb cut will be.

Mr. Bridgforth stated he feels this will benefit the citizens in this area as the closest gas station to the proposed site is at least 6 ½ miles. To address some of the neighbors' concerns he discussed the installation and maintenance of the gas pumps, tanks will be located underground closest to Goodman Road, and they will comply with all state and federal regulations.

Supervisor Medlin stated he is still concerned with the safety of the curb cut on Goodman Road without there being a median cut. Mr. Bridgforth stated traffic will be able to enter at Fox Creek Drive, and that the applicant was told by MDOT where to put the curb cuts.

Mr. Bridgforth stated the applicant does not expect the use to increase traffic on Goodman Road or increase the fire hazard. He then stated this area will continue to grow and the County will benefit from increased revenues from the use, and the citizens will benefit by having a gas station within the 7 mile stretch where there is not one currently.

Mr. Bridgforth stated the applicant has agreed to install interior and exterior security cameras, to keep the subdivision signs, install LED lighting and provide a 20 foot rear?? landscape buffer.

Supervisor Caldwell asked if, when the PUD was approved, gas pumps were approved. Mr. Hopkins stated that gas pumps are approved by a separate Conditional use where as a convenience store is approved by right.

There was discussion of the pictures presented showing the type of landscape buffer the applicant is proposing. Supervisor Russell asked what is located at the rear of the property now. Mr. Bridgforth stated that currently there is a mixture of trees on the rear of the property.

Supervisor Medlin asked if the applicant has discussed with MDOT a deceleration lane. Mr. Bridgforth stated they were told they will need to install a deceleration lane. Mr. Bridgforth stated the applicant has agreed to leave the subdivision entrance signs unless he is made to move them.

Supervisor Russell asked what happened at the meeting with neighbors. Mr. Bridgforth stated there was a good turnout for the meeting, but doesn't feel the neighbors changed their opinion about the gas pumps. Supervisor Russell asked if there were any concessions offered by the applicant. Mr. Bridgforth stated the applicant has offered to install a 20 foot landscape buffer, the building to be 35 feet tall, to leave the subdivision signs unless told to remove them and install surveillance cameras inside and outside of the store.

Supervisor Russell asked if any thought was given to locating the convenience store closer to the center of the property. Supervisor Russell stated he feels most traffic will access the property from Fox Creek Drive, due to how far down Goodman Road that entrance onto the property will be.

Mr. Bridgforth stated that he looked into the concern that the gas pumps will decrease the value of neighboring property and, according to Zillow, there doesn't appear to be a decrease in property values of homes near convenience store with gas pumps.

Supervisor Medlin asked who will build the fence along the rear of the property. Mr. Bridgforth stated there is an existing fence and the applicant will maintain the existing fence.

Supervisor Caldwell asked if there was anyone to speak for or against this item they could come forward, but each person would be limited to 3 minutes.

David Rose – 12909 Fox Creek Lane – came forward and has the following concerns:

- Not in favor of a convenience store
- Safety of his children
- Fence is not community property, the fence is individually owned and maintained

Supervisor Caldwell asked if when Mr. Rose purchased his property he was aware that the property behind it was commercial. Mr. Rose stated he was not aware the property was commercial.

Supervisor Caldwell asked who will maintain the space between the landscape buffer and the existing fence. Mr. Bridgforth stated the applicant will maintain the space between the landscape buffer and the fence.

Don Bruce – 7235 Fox Creek Drive – came forward and has the following concerns:

- Safety
- No deceleration lane at the entrance to Fox Creek Subdivision
- Increased traffic on Fox Creek Drive
- No traffic light at Fox Creek Drive and Goodman Road intersection
- Gas stations are big targets for crime, gave examples of recent robberies of gas stations in DeSoto County

Carolyn McDowell – 7243 Hunters Forest – came forward and has the following concerns:

- The other service station at Alexander Road, that this proposed site is being compared to, is not like the one proposed at this site, the houses on Alexander Lane are further down the road than the homes at his proposed site
- Feels maybe a conflict of interest for Mr. Bridgforth to represent this item as he is representing Fox Creek HOA in other matters
- The neighbors do not agree with the entrance on to the site from Fox Creek Dr.
- Increased traffic

Supervisor Russell asked if the Fox Creek Drive entrance was eliminated, an 8 ft. wall was erected between the site and the residence and the convenience store was moved to the center of the property, would the neighbors be more accepting of the project. The neighbors stated they do not want it period; they do not want the gas pumps.

Supervisor Lee asked that the list of permitted uses be displayed on the screen. Supervisor Medlin then asked why the gas pumps make a difference. Mr. Bruce stated that if it is just a convenience store, traffic to the site will be lighter. Supervisor Lee asked how he determined this. Mr. Bruce stated more people stop at a gas station than a convenience store.

Sherriff Rasco stated there are more home break-ins in DeSoto County than there are robberies of gas stations.

Supervisor Medlin stated a Design Review Committee will look at any project built on that property, so a wall may be required or deceleration lane may be required.

Supervisor Medlin made a Motion and Supervisor Lee seconded the Motion to uphold the decision of the Board of Adjustment to deny the Conditional Use application by Ibrahim Babukr to allow gas pumps for a convenience store due to the use not being compatible with the character of the neighborhood, and the use will significantly and adversely affecting traffic. Mr. Medlin confirmed the motion was based upon consideration of the recommendation of the Board of Adjustments, the comments received from the applicant and the public, the documents presented, his personal knowledge of the neighborhood, the site location and the negative impact upon the neighborhood.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	ABSENT
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	NO
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

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

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	ABSENT
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

2. Old Business

i. MINOR LOT

- a. **Tremblin Pines Minor Lot (7194)- Approval of 2 lot(s) (5.01 and 5.01) out of 10.01 acre(s). Identified as Parcel #308736000 0001502. Subject property is located on the south side of Sterlin Lane and west of Highway 51 in Section 36, Township 3, Range 8 Zoned A (District 5) Applicant – Anita Tauer**

Mr. Hopkins stated this item was tabled from a previous meeting to determine who had the authority to sign the application, since that meeting the owner of the property has signed the subdivision application. Mr. Cardosi stated the size of the two lots has also changed; now both lots are 5 acres apiece. Mr. Hopkins stated an affidavit was signed by the applicant confirming the living quarters in the barn would be removed, and that there be no further division of the property.

Mr. Kenny Stockton came forward and stated the neighbors are requesting that the plat be recorded in Chancery Clerks Office.

Eric Tauer came forward to represent the item and stated that there are two homes on the 10 acres now and they would like to subdivide the property so each house is on its own parcel.

Mr. Cardosi requested that the newly signed application be entered into the minutes including the affidavits signed.

Supervisor Gardner asked if there was anyone to speak for or against this item.

Kenny Stockton – came forward and stated that he met with the applicant and everyone is fine with the two 5 acre lots. He then stated the neighbors just wanted the apartment removed, and confirmation that there to be no further division of the property. He stated he would like to see the plat recorded so the restrictive covenants can be enforced by neighbors.

Mr. Stockton stated there is an existing drain pipe on the property and feels the plat should be amended to reflect that the drain pipe is on County R.O.W.

There was discussion of the drain pipe and the permissible uses of the barn.

Supervisor Lee made a Motion and Supervisor Caldwell seconded the Motion to approve Tremblin Pines Minor Lot for final subdivision of 2 lot(s) (5.01 and 5.01) out of 10.01 acre(s), subject to: the plat for the subdivision being recorded in the Chancery Clerks Office; the plat being amended to include a sufficient easement to allow maintenance and repair of the roadside inlet/manhole cover; the residence in the barn be removed; a covenant be include in the plat that the barn cannot be used as a residence except as may be permitted by the DeSoto County zoning regulations, after proper application to the planning department and any public hearings required by the County's ordinances; that any residence on the properties must meet Subdivision Regulations, and there be no further division of the properties, being the Lots 1 and 2 of Tremblin Pines Subdivision; and that the restrictive covenants shall run with the land.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

ii. OTHER

a. Refund Request – Malone Plumbing

Mr. Hopkins presented a refund request by Malone Plumbing for plumbing permit fees in the amount of \$107.00. He stated no work was performed at 5819 Chessie Dr.

Supervisor Medlin made a Motion and Supervisor Caldwell seconded the Motion to approve the refund request by Malone Plumbing in the amount of \$107.00.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

b. Zoning Map Adoption

Mr. Cardosi presented the current Zoning Map for adoption.

Supervisor Medlin made a Motion and Supervisor Lee seconded the Motion to adopt the Zoning Map as presented.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

c. Project Activation and Legal Authorization - Lewisburg Sidewalks

Mr. Cardosi presented the request for Project Activation of the Lewisburg Sidewalks and Legal Authorization to allow the County attorney to work on the interlocal agreement between the County and Desoto County School.

Supervisor Lee made a Motion and Supervisor Caldwell seconded the Motion to approve the Project Activation of the Lewisburg Sidewalks project and to authorize Smith, Phillips, Mitchell, Scott & Nowak, L.L.P. to work on the interlocal agreement required by MDOT.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

d. Flood Ordinance Revision – Request to set public hearing for February 5th, 2018

Mr. Hopkins presented a request to set a Public Hearing for the Flood Ordinance Revision to be heard by the Board of Supervisors on February 20, 2018 at 11:00 a.m.

Supervisor Russell made a Motion and Supervisor Caldwell seconded the Motion to set a Public hearing to discuss the Flood Ordinance Revision on February 20, 2018 at 11:00 a.m.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

J. EXECUTIVE

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

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to recess the Board meeting until Monday, January 29, 2018 at 9:00 a.m. to discuss Zoning Ordinance Changes.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES (by phone)</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 22nd 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