

DESOTO COUNTY BOARD OF SUPERVISORS
BOARD MEETING MINUTES
DISTRICT TWO SUPERVISOR MARK GARDNER, Presiding
March 01, 2021

A. CALL TO ORDER

The March 01, 2021 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 Ray Denison	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

Sheriff Rasco introduced Pastor Charles McClellan, Assimilation Pastor at Longview Point Baptist Church, to offer the invocation. Pastor McClellan stated he appreciated the Board for being public servants and noted it is often a thankless job. He stated he was a former County Supervisor in Webster County.

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF FEBRUARY MINUTES

As required by MS Code of 1972, Section 19-3-27, option (b) the minutes of each day's proceedings shall be adopted and approved by the Board of Supervisors as the first order of business on the first day of the next monthly meeting of the board. Supervisor Gardner asked if everyone had read over the February minutes.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to accept the minutes of the Board of Supervisors for February 2021, pursuant to Section 19-3-27 of the Mississippi Code of 1972, annotated.

The motion passed by a vote as follows:

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

E. APPROVAL OF AGENDA: ADDITIONS & DELETIONS

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

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

- a. Transportation Committee
 - a. Four Year Road Plan (Old, H.1.a.)
 - b. Suggestion for Safety Improvements (Old, H.1.b.)

- b. Emergency Purchases Due to Snow and Ice (Old, H.2.)
- c. Facilities – Flood in Courthouse, Water Damaged Controls – Request to Pay from Insurance Fund (Old, H.3.)
- d. COG Report (New, I.10.)
- e. IT/Finance/Planning – Merchant Application – Open Edge (New, I.4.d.)
- f. Planning – First Revision of Lot 1 – John Clark (#7559) (Planning, J.1.b.)

2. County Administrator Vanessa Lynchard requested to delete the following:

- a. Contract Administration - Facilities Management – Fant’s Telephone Service (G.5.b.)

3. Supervisor Lee Caldwell requested to add the following:

- a. Update on Armory Parking Lot Lighting (Old, H.4.)

4. Supervisor Jessie Medlin requested to add the following:

- a. Stormwater Discussion (Planning, J.2.)

5. Supervisor Michael Lee requested to add the following:

- a. Clarification of Safe Haven County (New, I.11.)

5. EMS Director Mark Davis requested to add the following:

- a. Request to Authorize Board Attorney to Review EMS Contract (New, I.12.)
- b. COVID Update (Old, H.5.)

Supervisor Jessie Medlin made the motion and Supervisor Ray Denison 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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

F. CITIZEN REMARKS & PRESENTATIONS

G. CONSENT AGENDA

1. Department of Human Resources: Monthly Health Claims Report

The following is a recap of all insurance claims funded and paid to Humana and RXnGo during February:

Funding Request	Date Paid	Amount	Claim Type
2/1/2021	2/1/2021	\$116,269.15	Administrative Fees
2/1/2021	2/2/2021	\$35,796.62	Medical
2/1/2021	2/2/2021	\$5,854.85	Dental
2/1/2021	2/2/2021	\$12,873.79	Pharmacy
2/1/2021	2/2/2021	\$2,587.50	RXnGo
2/2/2021	2/4/2021	\$85,193.00	Administrative Fees
2/8/2021	2/9/2021	\$100,379.23	Medical
2/8/2021	2/9/2021	\$10,038.30	Dental
2/8/2021	2/9/2021	\$19,199.04	Pharmacy
2/15/2021	2/18/2021	\$33,502.50	Medical
2/15/2021	2/18/2021	\$10,030.65	Dental
2/15/2021	2/18/2021	\$2,030.53	Pharmacy
2/22/2021	2/23/2021	\$46,319.25	Medical
2/22/2021	2/23/2021	\$2,930.07	Dental
2/22/2021	2/23/2021	\$3,177.20	Pharmacy

Medical/Dental Runout Fee's for Humana

Total for Humana	\$483,594.18
Total for RXnGo	\$2,587.50

2. Office of Finance & Accounting

- a. Monthly Expenses for Tax Collector/Tax Assessor/Sheriff
MS Code 27-1-9D/19-24-13**

3. Office of Procurement

- a. Request to Approve Bid Specifications & Solicit Bids for Hot Asphalt Overlay Work
Bid File #21-300-003**

4. Road Department

- a. Road Bond Report**
- b. Monthly Road Report**

5. Contract Administration – Auto Renewal

- a. Adult Drug Court - Adapts**
- b. Facilities Management – Fant’s Telephone Service – This item was removed from the agenda**
- c. Animal Shelter – Oak Tree Animal Clinic**
- d. Environmental Services – JD Custom Mowing**
- e. Sheriff’s Department – Shred It**
- f. Facilities – Affinity Lawn**
- g. Sheriff’s Department – Delta State University**

6. Enter Into the Formal Record and Make a Part of the Board Minutes

- a. Contract Administration – Sheriff’s Department – Mississippi State University**

7. Uniform Reimbursement (2) – Sheriff’s Department

Supervisor Denison asked about the large differences in the pie charts on the health claims report. Mrs. Lynchard stated there was only one bill from RX&Go and the snow week made the pharmacy claims much less than normal. Mrs. Crockett stated there was a medical recovery credit of \$15,000. She also noted the admin fees are high because of the run out costs. Mrs. Crockett noted the health claims are down, some due to the snow days and year-over-year could be because healthcare facilities were not doing anything but mandatory surgeries when COVID-19 was on the rise.

Supervisor Medlin asked if the admin fees included the full run out charges. Mrs. Crockett said they were \$85,193 was for medical, dental and vision run out.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the actions and matters presented in the Consent Agenda as presented and corrected and to delete Item 5.b. (Fant’s Telephone Service).

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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit G.

H. OLD BUSINESS

1. Transportation Committee

- a. Four Year Road Plan**

Supervisor Caldwell said the Transportation Committee met and discovered their numbers were skewed by putting zeros on the roads in the annexation area. She stated they need to go back and re-evaluate.

Supervisor Gardner asked if the board needed to wait for the annexation hearings to be final before making decisions. He asked what the timeline for the decision from the Court is. Mr. Nowak stated a decision would probably be 30-60 days out from the trial; and, if appealed, it could be a year or more.

b. Suggestion for Safety Improvements

Supervisor Lee stated the committee felt they need to look at intersections and safety hazards. He stated the intersection of Holly Springs Road and Jaybird will have to be looked at with two new subdivisions coming in that area. Supervisor Gardner said the area of Holly Springs Road and Getwell might also be a concern. Supervisor Lee agreed.

Supervisor Caldwell stated the committee would like for each Supervisor to think of 3 safety improvements in their district whether it be a curve, intersections, hill, etc. She stated some could be simple fixes and others more complicated.

Supervisor Medlin said some of Nail Road will be in Olive Branch when they annex; and he did not mind asking the city to share some costs, but he did not want to scrap the road project. Supervisor Caldwell said they won't do that; they just want to identify problem areas.

Supervisor Gardner asked the Sheriff if his department could get data on where accidents are repeatedly worked. Sheriff Rasco said he could get that information.

2. Emergency Purchases Due to Snow & Ice Storm

Director of Administrative Services and Procurement Angie Irving presented a list of emergency purchases and dollar amounts from Facilities and the Road Department as follows:

FACILITIES PURCHASES

- Requisition # 132224 Ewing Kessler for mini split a/c for the data room at the sheriff's department. \$705.00
- Requisition # 132223 Ewing Kessler for the controls and VFD drive at the courthouse for the new courtroom. \$1,470.00
- Requisition # 132222 Quarles Fire Protection at the Sheriff's Department for a froze and busted check valve for the fire sprinklers. \$864.00
- Requisition # 132221 E3 Environmental for the courthouse flooding from a froze and busted sprinkler head that flooded the new courtroom. \$ 3,806.55
- Requisition # 132220 CW Flinn to run a camera at the new jail for sewer line that was backing up in the medical area. \$360.00

DEPARTMENT OF ROAD MANAGEMENT

- Requisition # 132219 Wade Inc., to repair tractor. \$101.00
- Requisition # 132218 Thompson Machine, door glass. \$713.19
- Requisition # 132214 Wade Inc., fertilizer a/salt spreader \$880.00
- Requisition # 132216 Advanced Auto Parts, starter \$169.27
- Requisition # 132217 Thompson Machine, cutting edge blades (16) \$1967.20
- Requisition # 132215 Heavy Quip, grader blades and accessories \$1,904.98

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the emergency purchases as presented finding that such purchases were necessary for the immediate preservation of the health and safety of the public and/or public property, as a result of conditions created by the winter storm events the week of February 15th, and the delay incident to obtaining purchase order or competitive bids would have caused an adverse impact upon the County, its employees or its 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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.2.

3. Facilities – Flood in Courthouse, Water Damaged Controls – Request to Pay from Insurance Fund

Mrs. Lynchard stated when the controls were damaged during the ice storm flooding; they found that the controls are obsolete. She stated Mr. Houston is supposed to be getting in another quote today. Mrs. Lynchard requested, since this is a large amount, that the money come from the Insurance Fund, Small Claims line 001-106-599 rather than out of Facilities’ budget.

Mr. Houston informed the Board that the water line outside the chiller plant burst Tuesday as they were thawing at a cost to repair of \$5,900. Supervisor Gardner asked if there was a way to prevent that. Mr. Houston stated they have a heat trace and they are wrapped with heat tape. He stated the lines did not burst; it was the valves. Mr. Jarman stated that equipment is just not made for two degree weather.

Supervisor Denison asked the size of the valves. Mr. Houston said they are 3 inch valves and they are wrapped and insulated. Supervisor Denison asked if water moved all the time. Mr. Houston said he is not sure it if does in the towers; but the main loop coming through the building circulates. Supervisor Denison asked Mr. Houston to research that.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize up to \$18,351.00 to come from the Insurance Fund, Small Claims item (#001-106-599) and authorize repairs up to \$18,351.00 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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.3.

4. Update on Armory Parking Lot

Mr. Houston stated he has spoken with Entergy and they are working on the project. He stated he will follow up again.

5. EMS Updates

a. COVID-19 Update

EMS Director Mark Davis stated there were 426 active cases reported last week and four deaths. He stated there was not a lot of testing during the snow week; and numbers are still on a downward trend. Director Davis stated there have been a total of 22,582 vaccines given. Mrs. Lynchard suggested that with the numbers going down; the Board might want only once-monthly reports at the second meeting of the month. She stated if anything happened, Director Davis would certainly come and report to the Board.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to make Director Davis’ report a part of the Board minutes.

The motion passed by a vote as follows:

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

Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.5.a.

b. Update on EMT Class

Director Davis stated they have mid-terms tonight. He said the class started with 20 and they still have 20 at mid-term. He stated he is working with one student on some grades. Director Davis gave kudos to the fire department on sending people that have a desire to finish. He stated they will be making up some missed classes in March.

Director Davis stated they are having an extrication day in Eudora that will last all day and give EMT's an opportunity to have a real experience on extricating patients and to know what to prepare patients for as it involves a lot of noise and activity.

c. Thank You for Response on 3rd District Fire

Supervisor Denison stated there was a horrific fire in Walls on Friday and there was a great response and great job done by Walls, Eudora, Horn Lake, Nesbit, Bridgetown, and Love Fire Departments; as well as Medic 9, Sheriff's Department, Road Department, and the EMA staff.

6. Radar for County

Supervisor Lee stated Senator McLendon had suggested a local & private; but he thinks it won't get approved in the House. Supervisor Caldwell said the bill failed in the House Committee and the Representatives say they will not sign a local & private.

Supervisor Lee suggested talking about the bill and seeing what will need to change to get it approved. He said he does not think it could be presented any better; and he would like to try next year for one more time. Sheriff Rasco stated he has been trying since he took office; and he fears it will never pass.

Supervisor Medlin asked why the State Legislature controls radar. Supervisor Lee stated it is because it is a part of law enforcement. Mr. Nowak stated the Legislature passed the uniform traffic laws with language of when radar can be used; and it specifically excludes the Sheriff's Department.

7. Environmental Services – Litter Truck

Environmental Services Director Ray Laughter stated they had the job listing on the website for six weeks and had three applicants. He stated they had one good applicant but he would have taken a significant pay cut and he withdrew his name. Sheriff Rasco stated he has looked into the possibility to take some state inmates back into the County facility to put on a road crew to pick up trash. He stated he is asking for 8 inmates who previously were trustees at the County facility. Sheriff Rasco said that would mean another employee, truck and trailer for that additional litter crew. Mr. Jarman stated they have a truck in the fleet that could be used and Mr. Laughter has an extra trailer. Mr. Laughter stated they have a total of 3 trailers; two in Environmental, and one with the Sheriff.

Supervisor Lee said he felt like they should try one more time to advertise the position; and if that fails, maybe look at the Sheriff hiring an additional person.

The Board discussed some possible avenues to advertise the job including newspaper, posting at the libraries, posting at the Chambers in all the cities, NextDoor, Facebook, and the County website. Mr. Laughter stated it is a 40 hour week with full benefits.

I. NEW BUSINESS

1. Discussion of GIS Fees

IT/GIS Director John Mitchell requested raising the prices for aerial imagery as it takes more ink to print a photo. He stated the Department is working on a lot of things that people are asking to pull data on. Mr. Mitchell stated the GIS department surveyed other places that charge and

DeSoto County is pretty much in line or slightly less. He stated most of the cities are sending people to the County GIS department for aerials.

Supervisor Lee asked how Mr. Mitchell broke down the costs. Mr. Mitchell stated he is looking at it from the toner cost and paper costs. He stated he is not trying to make a profit; but just to recoup taxpayer money.

Supervisor Caldwell thanked Mr. Mitchell for the price list as many city candidates are beginning to check into the cost of getting maps of their districts. Mr. Mitchell stated, if approved, they will publish the list on the GIS page of the County's website.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve the price list as presented and authorize Mr. Mitchell to post it on the County's website.

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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.1.

2. Office of Finance and Accounting

a. Claims Docket – MS Code 19-13-31

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

Supervisor Jessie Medlin asked about the following claims:

Page 33 – North Delta – Bus Service running? Mrs. Lynchard stated it seems to be running steady.

Fire at Rubbish Pit – Mr. Laughter stated something came in hot; but they have it under control. He stated it happened during the snow, but Mr. Tommy Griffin got there quickly. He is the manager.

Supervisor Mark Gardner asked about the following claims:

Page 9 – Norman Enterprises – Replace roof at old jail - \$69,000 – Has it been inspected. Mr. Houston stated he has inspected it and Firestone has signed off on the 20-year warranty. Sheriff Rasco asked if they made repairs over the old kitchen. Mr. Houston stated Baker Roofing did that.

Page 21 – State Treasurer Fund – Consultant/Counseling – The invoice showed analytical fees. Sheriff Rasco stated that is testing for drug paraphernalia. He stated they still have cases from 2019 at the crime lab and they are still testing.

Page 21 – Robert Colvin – 2021 Expedition – The invoice showed windshield tinting.

Page 22 – Home Skelton – 2021 F150 – Sheriff Rasco stated that was the SID replacement vehicle

Page 54 – Stribling Equipment – Mr. Jarman stated that was the new skid steer tractor

Page 35 - \$116,000 and Page 63 - \$3,209 – Still paying though the libraries have been closed a lot. Just bringing attention to it.

Page 57 – Waggoner Hwy 51 at Kapik – The invoice showed for a turn lane.

Page 61 – Waggoner – 23,000 for Amazon Transportation – Mrs. Lynchard stated that was a deceleration from the DIP grant at Hacks Cross. Mr. Nowak stated Amazon paid a portion and they are also building a section of the Progress Way road. Supervisor Medlin stated the DIP grant will pay for most of that project.

Supervisor Ray Denison had no questions.

Supervisor Lee Caldwell asked about the following claims:

Page 50 – Hart Exterior Services – Mr. Jarman stated they cut trees on Wilson Mill Road at the sight of a cross drain installation.

Supervisor Michael Lee had no questions.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the claims docket and to authorize the Chancery Clerk to pay the bills as presented by the Chief Financial Officer.

The motion passed by a vote as follows:

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

See Exhibit I.2.

3. Grant Administration

a. Request Approval to Apply for MDWFP Grant for Agri-Center Walking Trail

Parks Director Ray Laughter stated he budgeted for this grant for the equestrian/mountain bike/walking trail. He stated it is about 2.5 miles around and fits in perfectly with the Board’s vision for this area. Mrs. Sheila Garrett stated the total grant is \$150,000 and includes a \$30,000 county match. Mr. Laughter stated this is a competitive grant and they are asking for approval to apply.

The Board discussed the strict guidelines that had to be followed for Johnson Creek’s \$1.2 million project because of federal guidelines. Mr. Laughter stated MDWFP give much more flexibility.

Supervisor Medlin asked if any of the trail area floods. Mr. Young stated one area does and they can make a low water crossing or box culvert. Supervisor Caldwell stated they could look at a box car bridge since there will potentially be RV parking that will need access in the future.

Supervisor Gardner asked if there would be any opportunity to haul dirt into the area. Supervisor Caldwell said Waggoner Engineering is counting on bringing a lot of dirt there from the detention areas in the flood study.

Supervisor Lee stated this will be a quality project with areas for tennis, baseball, fishing rodeos, and events in the arena part. Supervisor Caldwell said the plan is to use what is there in nature and enhance it.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to authorize applying for the MDWFP Grant for the Agri-Center Walking Trail as presented and authorize the Board President to sign the necessary forms.

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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.3.a

4. Contract Administration

a. Sheriff’s Department – Elliott Data Systems – Finding of Fact for Prepayment

Director of Administrative Services & Procurement Angie Irving stated this is a renewal of a maintenance contract on the ID card printer at the Sheriff’s Department. She stated the Sheriff’s Department has been doing business with Elliott Data Systems for some time and they provide

an immediate and necessary service. She stated the contract amount did go up from \$515.00 to \$557.00.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve the prepayment of \$557.00 to Elliott Data Systems, finding they provide an immediate and necessary service to the County and have the proven ability to provide the service.

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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.4.a.

b. Facilities Management – Proven Pest Management

Mrs. Irving stated this is for pest control for County buildings and it is a renewal that requires a signature.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the contract with Proven Pest Management for pest control in County buildings 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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.4.b.

c. Sheriff's Department – Idemia Identity & Security

Mrs. Irving stated this is a preventative maintenance agreement for two scanners and printer at the detention center. She noted a finding of fact was acknowledged for the prepayment in March 2020.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the preventative maintenance agreement for scanners and a printer at the detention center and refer to and re-affirm the March 2020 prepayment finding of fact 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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.4.c.

d. IT/Finance/Planning – Open Edge – Merchant Application

IT Director John Mitchell stated this is part of the software project for Planning. He stated the Board had asked for online payments and Tyler has partnered with Open Edge and they are integrated into the system. He stated if the county uses another online payment option, they will have to pay to integrate them. Mr. Nowak stated he looked at the application and made lots of changes. Mr. Mitchell stated he will send the application back with the changes; but they need to get this through in order to finish the planning portion of the software.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the contract with the changes noted by the Board Attorney, have Mr. Mitchell ask Open Edge to accept the changes, and authorize the Board President to sign if approved by the Board Attorney.

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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.4.d.

5. This number was skipped on the agenda.

6. Office of Procurement

a. Sheriff's Department – Purchase of Office Chairs Exceeding Set Purchasing Limit

Mrs. Irving stated the Board has a policy that chairs should be \$150 or less. She stated the chairs requested have specific requirements as follows:

- CID needs a wider chair so their gun belts will not get caught on the arms and the lowest quote is \$216.07. Their current chairs are worn out or broken.
- The nurses need mesh task stools that adjust up higher and the lowest quote is \$200.00

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve the purchase of specific needs chairs for CID and the medical room at the Jail because of specific requirements 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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.6.a.

7. Updates to Appointment Directory

- a. Board Secretary – Page 4
Remove Pat McLeod
Add Angie Irving
- b. Procurement Clerk – Assistant - Page 5
Remove Angie Irving
Add Vickie Tillman
- c. Receiving Clerk – Page 6
Remove Francine Davis, All Departments
Add Lynn Ford, All Departments
- d. Justice Court Receiving Clerk – Page 7
Remove Vickie Tillman
Add Karen Mullen
- e. Business Investment Incentive Committee – Page 16
Remove Pat McLeod
Add Angie Irving
- f. Local Emergency Planning Committee – Page 21
Remove Jessie Medlin, President BOS

Add Mark Gardner, President BOS

- g. Nesbit Fire Protection District Commissioners – Page 31
- Remove Harvey Herring (resignation letter attached)
- Add Kenny Woods for term ending January 2022

Supervisor Lee stated he will need to make an appointment soon on the Love Fire Protection District Commission as Mr. Herbert Hardy passed away.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to update the Appointment Directory as presented by Mrs. Irving.

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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.7.

8. Insurance Committee Report

See Exhibit I.8.

a. Line of Duty

Supervisor Medlin stated the Insurance Committee looks at each Line of Duty case to see if they qualify. He stated the Insurance Committee recommends to approve Deputy Eldridge to apply to the Attorney General’s office for assistance and to follow the County “line of duty” policy regarding his pay until those funds are approved. Sheriff Rasco stated they are working on the paperwork and it is at the hospital for the doctors to fill out their part.

Supervisor Gardner stated the AG trust fund statute excludes paramedics and he would like to address that. Supervisor Caldwell agreed and said they need to take that to the legislators and ask for paramedics to be added. Mr. Nowak stated the statute applicable to the County has a more generic reference to anyone that is providing aid to the public. He said he thinks the Board would have authority to make a finding that paramedics qualify under the scope of aiding the public provisions of the statute.

Supervisor Medlin stated the Board policy will fill the gap until the AG Line of Duty pay begins. He stated if the AG’s policy does not change, the County could be looking at making someone’s salary whole by supplementing the difference in what Workers’ Compensation pays at 66 2/3 of their salary for a year. He also noted that the Board decided years ago that the County would pay the first 10 days after an injury without using any of the employee’s leave time and before Workers’ Compensation benefits would start.

Supervisor Gardner asked Mrs. Crockett and Mr. Nowak to run a couple of scenarios and get some numbers. Supervisor Caldwell stated they really should be writing a letter to the AG instead of the Legislators about the change.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to approve Officer Eldridge for Line of Duty Benefits, and authorize the Board Attorney to review the Board policy to determine who could be eligible under the statute applicable to the county, and to review whether it’s appropriate to draft a letter to the Attorney General and ask them to review their policy as well.

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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.8.a.

b. Bariatric Surgery

Supervisor Medlin stated there were a couple of people on the Insurance Committee that were close to people who had this surgery, both some time ago and recently. He stated the costs did not seem to be as much as originally thought. Supervisor Medlin stated the committee recommends approving bariatric procedures as a covered surgery and setting a lifetime limit of \$50,000 of coverage. He stated he felt if a person does this and meets all the criteria as set forth in Exhibit I.8.; they will be mentally tough enough and committed to do it right. He noted this has nothing to do with cosmetic surgery. The guidelines are:

- (1) **Morbid Obesity: Care and treatment of Morbid Obesity (including surgical treatment).**
Surgical treatment for Morbid Obesity will only be covered if all the following conditions are met:
 - (a) The Covered Person has either (1) a body mass index (BMI) of 40 or greater ~~or (2) a BMI of 35 or greater in conjunction with a severe co-morbidity, such as obesity hypoventilation, sleep apnea, diabetes, hypertension, cardiomyopathy or musculoskeletal dysfunction.~~
 - (b) The Covered Person has at least a 24-month history of Morbid Obesity as documented in such person's medical records.
 - (c) The Covered Person does not have an underlying diagnosed medical condition that would cause Morbid Obesity (e.g., an endocrine disorder) that can be corrected by means other than surgical treatment.
 - (d) The Covered Person has completed full growth (18 years old or supporting documentation of complete bone growth).
 - (e) The Covered Person has failed to achieve and maintain significant weight loss and such person has participated in a Physician-supervised nutrition and exercise program for at least 6 months (occurring within the 24-month period prior to the proposed surgical treatment) and such participation is documented in his or her medical records.
 - (f) The Covered Person must be evaluated by a licensed professional counselor, psychologist or psychiatrist within 12 months prior to the proposed surgical treatment. The evaluation should document the following:
 - (i) that there is no significant psychological problem that would limit the ability of the Covered Person to understand the procedure and comply with any medical and/or surgical recommendations;
 - (ii) any psychological co-morbidities that may be contributing to the Covered Person's inability to lose weight or a diagnosed eating disorder; and
 - (iii) the Covered Person's willingness to comply with the preoperative and postoperative treatment plans.

The Plan does not cover Experimental and/or Investigational treatment of Morbid Obesity, including but not limited to:

 - (a) Loop gastric bypass;
 - (b) Gastroplasty, more commonly known as "stomach stapling" (not to be confused with vertical band gastroplasty); and
 - (c) Mini gastric bypass.

Eligible expenses will be payable as shown in the Medical Schedule of Benefits.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve adding bariatric surgery to the Aetna/Meritain insurance plan following the guidelines presented to be effective March 01, 2021.

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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.8.b.

9. Risk Management Report

a. Training Plan

Mrs. Lynchard stated she has been looking at training for the coming year for risk management. She stated she asked the managers for input; and they sent back some suggestions for employee growth as well as risk management and safety. She stated one thing requested was active shooter training; and she reached out to Chief Deputy Smith, who got right on it. Mrs. Lynchard said she also talked to Chief Smith about some things the Sheriff's Department does in regard to public safety and they will allow some employees to join their training.

Mrs. Lynchard stated Mr. Mitchell has vouchers for computer training that can be onsite or offsite, individually or in a group; depending on the needs. She stated HR has a lot of films that are available for training as well. She stated that PERS training and Payroll Law will require looking for outside resources.

Supervisor Medlin asked if the insurance company provided safety training. Mrs. Lynchard said they do provide most of it. Mr. Jarman stated they will do some and provide materials for some.

See Exhibit I.9.a.

b. Authorize Hiring Smith Phillips for Employee Training

See motion and vote below at I.9.c.

c. Authorize Hiring Smith Phillips to Review Insurance Requirements for Bids & Purchases

Mrs. Lynchard stated they met with Lipscomb & Pitts about Worker's Comp and they said the County needs a certain kind of insurance certificate from vendors who work on such things as air conditioning, roofs, etc. She stated they need to look at outside vendors and look at implementation.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to hire the firm of Smith, Phillips, Mitchell, Scott & Nowak for employee training and to review insurance requirements for bids and purchases.

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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

10. Council of Governments (COG) Report

Supervisor Gardner stated Senator Blackwell and Rep. Jackson-McCray were at the meeting. He stated the Jackson Legislative Event (Fried Pie Day) has been cancelled. He stated Mr. Flanagan proposed an alternative to the Washington Congressional Briefing:

- Looking at 2nd week to end of August
- Host congressional staffers in DeSoto County
- Have Zoom meeting with 2 US Senators and Congressman
- Have different people to meet and discuss different topics similar to Blue Ribbon format
- Possibly some kind of reception while staffer are in town

Supervisor Medlin suggested inviting anyone else to see some of the needs. Supervisor Caldwell said they might invite the Chairman or Transportation or Appropriations.

Supervisor Gardner said he and Supervisor Caldwell will be attending the Highway 51 Corridor meeting with Commissioner John Caldwell and the mayors. He stated Senator Blackwell said there may be a change in leadership in MDOT soon.

Supervisor Caldwell said if they started on widening Highway 51 today; they would be too late. She said with Medline opening soon and AWG coming in the traffic will be heavy.

Supervisor Gardner stated they talked about HB 1439 which is doing away with the state income

tax. He noted the fuel tax bill failed last week. Supervisor Caldwell said the hope was there would be an offset.

Supervisor Caldwell said they need to reach out to the legislators about homestead reimbursement as they are talking about a \$1.9 million cut. Mrs. Heffner stated the reimbursement amount at this time is about \$90 and that is split with the schools.

Supervisor Medlin said he agrees that Highway 51 needs widening. He stated the Board held up a tax exemption with FedEx to keep them off Highway 305 and they have gone right back to having trucks on there. Supervisor Gardner asked if there was an MDOT camera at 305 and Church. Mr. Jarman stated there is one at I269 and 305. Supervisor Gardner asked Mr. Jarman to see if he could get a week's worth of data from that camera.

Supervisor Gardner stated Mayor Phillips said at the COG meeting that 305 needs widening just as bad as Highway 51 with the truck and school traffic that it carries. Supervisor Caldwell stated the problem with 305 is there is no plan, no study and no design. She said MDOT has not put together a 5 or 10-year plan.

11. Safe Haven County

Supervisor Lee stated he has had some constituents want to know how much protection they will have to keep the federal or state government from taking away their constitutional right to bear arms. Mr. Nowak stated no one can enforce a law that is unconstitutional. He stated if a federal law was passed, any person with standing has the right to challenge the constitutionality of that law. Supervisor Lee said people are worried about it. Supervisor Gardner said federal law supersedes county policy. Mr. Nowak stated that is where someone could challenge the law constitutionality. He stated laws are presumed legal until someone proves it is not.

12. Authorize Board Attorney to Review EMS Contract

Supervisor Michael Lee made the motion and Supervisor Mark Gardner seconded the motion to authorize the firm of Smith, Phillips, Mitchell, Scott & Nowak to review an EMS contract as requested by Director Davis.

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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

J. PLANNING

1. Consent Minor Lot

- a. **Catlett Minor Lot, 1st Rev (#7555) Approval of 1 lot(s) on 4.01 acre(s) out of 24.00 acres. Identified as Parcel # 2-08-4-19-00-0-00016-03. Subject property is located on the west side of Fogg Rd and north of Nesbit Rd in Section 19, Township 2, Range 8 (District 4)
Applicant: Richard Catlett**
- b. **1st Revision of Lot 1 of John Clark Subdivision Minor Lot (#7559) Approval of 1 lot(s) on 2.78 acre(s). Identified as Parcel # 209828000 0000200. Subject property is located on the north side of Wilson Mill in Section 28, Township 2, Range 9 (District 3)
Applicant: Jay Clark**

Mr. Hopkins presented the Consent Agenda items above. He then stated the applications meet all Subdivision Ordinance requirements.

Supervisor Caldwell made the Motion and Supervisor Denison seconded the Motion to approve the items and actions set forth on the Consent Agenda as presented, but with the removal of the Dean Manor Estates Minor Lot

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

See Exhibit J.

K. 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 Lee Caldwell seconded the motion to recess the Board meeting until Monday, March 15, 2021 at 9:00 a.m.

The motion passed by a vote as follows:

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

THIS the 5th day of April, 2021, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Mark Gardner, President
DeSoto County Board of Supervisors