

DESOTO COUNTY BOARD OF SUPERVISORS
BOARD MEETING MINUTES
DISTRICT ONE SUPERVISOR JESSIE MEDLIN, PRESIDING
January 13, 2020

A. CALL TO ORDER

The January 13, 2020 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie Medlin, Board President.

Supervisor Michael Lee 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 – Came in late
Misty Heffner	Chancery Clerk
Vanessa Lynchard	County Administrator
Tony Nowak	Board Attorney

B. INVOCATION

Supervisor Mark Gardner offered the invocation.

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF AGENDA: ADDITIONS & DELETIONS

Supervisor Medlin 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. Storm of January 11, 2020 (New, H.1.)
- b. Making the Emergency Proclamation of the Board Part of the Minutes (New, H.1.a.)
- c. Plan for Disposal of Wastes (H.2.)
- d. Plan for Lewisburg Waste (H.2.a.)
- e. Plan for Love Waste (H.2.b.)
- f. Consideration of Policy Change for Private Disposals at 3 Rubbish Pits (H.3.)
- g. SNAP Benefit Recipients Replacement Guidelines (H.4.)

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

E. CITIZEN REMARKS & PRESENTATIONS

F. CONSENT AGENDA

G. OLD BUSINESS

H. NEW BUSINESS

1. Storm of January 11, 2020

a. Making the Emergency Proclamation of the Board Part of the Minutes

Supervisor Mark Gardner made the motion and Supervisor Michael Lee seconded the motion to approve the State of Emergency, to approve the continuation of the emergency declaration, and to review the need for continuation of the proclamation of emergency on February 4, 2020 if not before.

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.1.a.

EMA Director Chief Chris Olson reported that 2 tornadoes touched down in DeSoto County; an EF1 in the Love area and an EF2 in the Lewisburg area. He noted an overwhelming response from the Sheriff's Department, Fire Departments, Board of Supervisors, Road Department and citizens. He thanked the Board for everything they did over the weekend and noted it was great to see that support. Chief Olson said there were many citizens helping and bringing donations. He noted the MEMA Director came over the weekend and would be back today with the Lt. Governor to look at the damage.

Chief Olson stated Samaritan's Purse is in the County to help citizens that have no insurance or no means. He said the Southern Baptist Disaster Relief team is also here. Supervisor Caldwell said there is some damage in the Eudora area; and a couple of roads are still blocked.

Chief Olson said Love & Lewisburg fire stations are set up to help residents. Supervisor Caldwell asked Chief Olson to check with the fire chiefs to see if they need volunteers to help with accepting and distributing donations.

Supervisor Gardner said people want to donate food, clothes and gift cards. He said Heartland Hands will help distribute all that and will help coordinate.

Chief Olson outlined what will be happening:

- EMA and County officials doing damage assessment
- Send details of damage and costs to MEMA who sends to FEMA
- If the dollar amount is enough to qualify, FEMA will come in
 - ✓ Volunteers and organizations can turn in hours and dollar amounts to count toward the County's total
- Citizens will work directly with FEMA/Citizens should take pictures for insurance
- MEMA said they will do what they can with debris management assistance
- FEMA will look at each case and take insurance assistance off their amount
- Utility companies doing an awesome job getting power back on

Items of top importance for Board:

- How to handle private contractors wanting to help – Mr. Nowak said get a hold harmless form filled out to protect the County from liability.
- Get in subdivisions and clear roads so school buses can safely travel
- Negotiating pricing and controlling price gouging
- Legality of clearing driveways – Mr. Nowak said under the emergency declaration, the County can go onto private property to assist if it involves clearing debris and other services for the purpose of protecting the health and safety of the citizens, prevents further damage, prevents the spread of disease, etc according to MS Code 33-15-49

- Road Department employees' safety and schedule – don't want anyone to get overtired and get hurt – work only daylight hours – work 6 days and have Sunday to rest and be able to go to church
- Any equipment needs for Road Department? Mr. Jarman said they may need to rent some track hoes and get equipment in to burn if MDEQ allows burning. He stated Mr. Pearson is getting a price on a new blower for burning as MDEQ recommends forced air to burn.
- Waiving limb and debris pickup charges for residents
- Relax burning rules while still maintaining safety
- Supervisor Caldwell said Lt. Governor Hosemann is coming to view the damage in the County.

Road Department Update

- Supervisor Lee said people coming in just to look are in the way of work being done
- 4 limb trucks in Love area, 4 in eastern part of county – Gave them maps and told them to branch out from there
- Heard some logging companies are coming in to get trunks and will leave tree tops
- Lehman Roberts called & offered trucks and equipment at no charge
- Rodney Prince said if they have trees leaning at 30% or more angle toward the road they are getting them taken down. He said the superintendents are out checking that. He said if the Road Department can get the tree down without damaging a power line, they are doing it.

2. Plan for Disposal of Waste

a. Lewisburg

- 1) **Burn – Must be Approved by MDEQ**
- 2) **Chip – Levee Board has Offered Use of The Beast**
- 3) **Dispose Whole in the Rubbish Pit – NOT Preferred**
- 4) **Possible Staging Sites**
- 5) **Burn Site**

See Exhibit H.2.a.

b. Love

- 1) **Burn – Must be approved by MDEQ**
- 2) **Chip – Levee Board has Offered Use of The Beast**
- 3) **Dispose Whole in the Rubbish Pit – Not Preferred**
- 4) **Possible Staging Sites**

See Exhibit H.2.b.

Burning:

- Mr. Prince stated MDEQ recommended a pit at a site in Lewisburg. He said they will have to put in rock to get in and out as well as 4-inch rock in the bottom of the pit. He said the pit will have to be returned to its original state after burning is complete. Supervisor Caldwell said that purchasing the rock and blowers will help count toward FEMA's threshold.
- Mr. Laughter said Sky Lake Construction has offered 2 blowers.
- The ashes will be taken to the rubbish pit
- Supervisor Lee asked about residents burning. Chief Olson said he flew the drone and saw 10 to 15 piles burning throughout the county. He said there were areas where track hoes were piling up trees and burning. He suggested the track hoe could bring the debris to the road so it could be picked up.
- Mr. Prince stated they will have to check the distance of the burn sight from any buildings. He said the range is 250 yards in a pit or 500 yards on top of the ground. Chief Olson said it takes about an hour to stop burning once the blowers are stopped.
- Supervisor Gardner asked where the ash would be taken. Mr. Laughter stated the South Shelby landfill.

- Mr. Nowak stated he will create a generic form for land use with a blank name and blank services to be filled in appropriately.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to authorize Mr. Laughter to search out possible staging sites and negotiate with Todd Williams on College Road about a burn site.

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>

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve a burn site off Ranch Road on Kevin Cox’s property if approved by MDEQ.

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>

Supervisor Medlin asked if the Board wanted to get a drive into the burn site and start staging. Mr. Prince said it would take about 1,000 tons of material to get a road in. He said they will have to have some matting and then rock to keep the trucks from sinking. Supervisor Medlin stated Memphis Stone had a gravel pit in Love that would be close to the site. Mr. Prince said if they have someone there to load, it would be the closest. He noted that they had a good stockpile at Central Maintenance they could use. Mrs. McLeod stated she would be sure there are quotes in place. Mr. Nowak stated under the emergency declaration, that bids were not necessary.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve any emergency purchases necessary to respond to emergency clean-up, including agreements to use of a citizen’s property and road to be built primarily for the County’s use and not as a primary use for the landowner for both the Love & Lewisburg burn sites.

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>

Mr. Prince verified that the Road Department could haul from any place for materials under the Emergency Declaration. Mrs. Lynchard stated he needed to identify on the purchase orders that the purchases are emergency related.

Chipping:

Environmental Services Director Ray Laughter stated the Levee Board has their big chipper they call “The Beast” they can provide to the County. He said they have to charge for it, but he does not know what the current charge is. He said the County would have to pay FEMA rates for fuel and labor. Chief Olson said they will know more on the cost later. He stated that burning is more economical and chipping is next; but the biggest thing is reducing the burden on the taxpayers. He said with the amount of debris, the County might have to do both. Mr. Laughter said the chipping could be the foundation for the new cell at the rubbish pit.

Mrs. Lynchard stated there had been some discussion about putting the chipper at the rubbish site. Mr. Laughter stated they would have to chip at the top and push it off as well as cover it. He noted they will check with the Levee Board to see what the best set up would be.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to authorize the Board Attorney to work on anything to do with the storm; set a threshold of 100,000 yards to work with the levee board on the price for “The Beast”; and authorize the Board Attorney to work on an agreement with the Levee 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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

3. Consideration of Policy Change for Private Disposals at the 3 Rubbish Pits

Mrs. Lynchard said she thought about the charges the county has on tree limb pick up and number of rubbish pit loads allowed for citizens. Mr. Nowak stated the Board can order modifying the current policies for storm debris disposal from the January 11, 2020 storm; and that order can be valid for up to 30 days and extended if necessary.

Supervisor Caldwell said residents need to be reminded to separate limbs from other debris because only vegetation can go to the burn sites. Mr. Prince said they handed out copies of the debris management fliers to residents in the storm areas. He said the Road Department is focusing on removing vegetation today and they will be handing out more fliers.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to adopt a Board Order waiving the current charges for debris pick up and rubbish pit loads, arising from the storm event, to be effective until February 12 if necessary and to be extended at that time 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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

Supervisor Gardner stated this order should only apply to residents, not commercial operators.

4. SNAP Benefit Recipients Replacement Guidelines

Mrs. Lynchard stated if SNAP recipients’ electricity was off for more than 10 hours; they could go back and get replacement benefits. Supervisor Caldwell asked Mrs. Lynchard to contact Family Services and be sure they knew that.

5. Utility Companies

Supervisor Caldwell stated she has spoken with Don Arnold from Entergy and they have about 1,500 customers without electricity. Chief Olson said that was very good; because they were at 5,000.

Supervisor Lee stated he received a call during the meeting from a lady on Charles Road that has a giant limb on her house and asked if there was a company in the area that could help. Chief Olson stated the Southern Baptist Disaster Relief team was in that area and would help her.

Mr. Laughter said North Central was going to have some debris and they requested to take it to Railroad Avenue. He said he told them they could not take creosote poles. He requested the Board authorize an MOU with North Central for them to reimburse the County at the County’s

rate at Railroad Avenue. He also requested all 3 rubbish pits to be authorized to be open from 7 am to 5 pm, 7 days a week for the time being.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to allow North Central and Entergy to take debris to all rubbish pits at the County's rate and, if the rubbish pit agrees, to allow them to extend their hours from 7 a.m. to 5 p.m., 7 days a week until the next Board meeting.

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>

6. Waiving Permit Fees

Deputy Planning Director Austin Cardosi asked if the Board wanted to waive permit fees for rebuilding homes damaged during the storm.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to waive the permit fees for permits pulled in the next 30 days for rebuilding which could be verified to be the result of storm damage and if verified to waive the fees for rebuilding.

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>

7. State Compliance Auditor Team

The compliance team from the State Auditor's office introduced themselves: Brandon Armstrong, Director Derick Varner, Kimberly Fitts.

Mrs. Lynchard stated she has an auditor's entrance letter giving them permission to perform the County's compliance audit and requested the Board President sign the letter.

Supervisor Michael Lee made the motion and Supervisor Mark Gardner seconded the motion to authorize the Board President to sign the auditor's entrance letter and make it 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.7.

8. Updating Website and Social Media Regarding Storms

Supervisor Caldwell stated Mrs. Lynn Ford has been channeling information from EMA to the County's website and social media. She requested the Board authorize this work and compensate for such work going forward. Mrs. McLeod asked if it could be comp time. Supervisor Medlin said it could be comp time or overtime pay.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to allow Mrs. Ford to work overtime at Mrs. Lynchard's discretion, and be compensated in accordance with County policies, while keeping the County's website and social media updated due to the storms.

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>

The meeting was recessed for the Lt. Governor's visit and news conference.

After Executive Session:

9. Draft Order for Emergency Debris Management Sites in Love & Lewisburg

Mr. Ray Laughter handed out a draft order for emergency debris management sites in Love and Lewisburg. He stated he has to have the order to fill out the application for temporary emergency debris sites to be able to burn. He stated when he gets the MEMA estimate of the number of yards, he will bring the order back to the board for final approval.

Supervisor Michael Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve the draft order for the Love temporary emergency burn site for debris from the storm of January 11, 2020.

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>

Supervisor Michael Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve the draft order for the Lewisburg temporary emergency burn site for debris from the storm of January 11, 2020.

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>

Supervisor Michael Lee made the motion and Supervisor Ray Denison seconded the motion to authorize the Board President to sign all necessary contracts/agreements for help with debris cleanup.

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. Justice Court Special Prosecutor

Mrs. Lynchard stated she got a request from Justice Court for a special prosecutor, William Seale, on January 23rd.

Supervisor Mark Gardner made the motion and Supervisor Ray Denison seconded the motion to authorize the special prosecutor, William Seale, on January 23rd and authorize the clerk to write the check.

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>

I. PLANNING

J. EXECUTIVE

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

Supervisor Mark Gardner made the motion and Supervisor Michael Lee seconded the motion to recess the Board meeting until Monday, January 21, 2020 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 3rd day of February, 2020, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Jessie Medlin, President
DeSoto County Board of Supervisors