

DESOTO COUNTY BOARD OF SUPERVISORS
BOARD MEETING MINUTES
DISTRICT FOUR SUPERVISOR LEE CALDWELL, PRESIDING
January 22, 2019

A. CALL TO ORDER

The January 22, 2019 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Lee Caldwell, 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 Lee Caldwell offered the invocation.

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF AGENDA: ADDITIONS & DELETIONS

Supervisor Caldwell 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. Agri Education – Contract for Architect/Engineer – (Old, G.5.)
- b. Intersection Study – Highway 305 & Bethel (Old, G.6.)
- c. Intersection Study – Star Landing & Highway 301 (Old, G.7.)
- d. Transportation Committee – Star Landing & Swinnea Flood Issue (Old, G.8.a.)
- e. Transportation Committee – Award of ERBF Funds (Old, G.8.b.)
- f. Courthouse Security Update (Old, G.9.)
- g. Planning – Williams Ridge (Planning, H.6.c.)
- h. Human Resources – Open Enrollment Report (New, I.14.)
- i. Corps of Engineers – Flood Study Update (New, I.15.)
- j. Circuit Clerk's Office Furniture (New, I.16.)

2. County Administrator Vanessa Lynchard requested to consider the following for Executive Session:

- a. Potential Litigation – Sheriff's Department (Executive, J.2.c.)
- b. Potential Litigation – Southaven (Executive, J.2.d.)
- c. Potential Litigation – Holly Springs Road (Executive, J.2.e.)
- d. Potential Litigation – District 4 (L. Dean) (Executive, J.2.f.)
- e. Sale of Property – Request to Purchase county Property Near Hawks Crossing (Executive, J.5.)
- f. Human Resources – Road Department (Executive, J.1.e.)

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin 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>

E. CITIZEN REMARKS & PRESENTATIONS

1. Recognition of Horn Lake High Football Team - 6A MS State Champions 2018

Supervisor Caldwell recognized Coach Brad Boyette, his staff and the football team from Horn Lake High School. She stated the young men had great attitudes, great behavior and great academics. Supervisor Caldwell said she was proud of the young men and it was good to know that there were such good people following in the footsteps of the leadership of DeSoto County. She informed the team that Supervisor Russell was the team's biggest fan and that he had not missed a game all year, as well as kept up with all their stats. She noted Supervisor Russell and Sheriff Rasco graduated from Horn Lake, she taught there for years and all her children graduated from Horn Lake; so the school is very special to many in attendance.

Supervisor Russell and Supervisor Caldwell read the Resolution of Appreciation. The Board and others congratulated the team on their performance and their contribution to DeSoto County.

See Exhibit E.1.

2. Extension of Harden Cove

Road Manager Andy Swims stated he got some figures together as requested by the Board and the minimum amount to extend Harden Cove as it is platted would be \$3,707.52. He stated the extension would be a small gravel road approximately 15-18 feet wide. Mr. Swims stated he would have to have a survey done to establish the right of way; and that would be about \$1,000.

Supervisor Medlin asked if the extension would go to the pond levee. Mr. Swims said it would as the levee extends to the property line, and the Johnsons would have to do a substantial amount of grading work to put in a driveway, but it is attainable. Supervisor Medlin asked Mrs. Johnson if she was planning to build on the property. Mrs. Johnson said they would like to put a mobile home there and do some gardening. She stated they would also like to cut some hay; but right now, they cannot get to the land to utilize it. Supervisor Medlin asked how many acres was there. Mrs. Johnson said about 37.

Mr. Nowak stated the plat was recorded showing dedication of easement but the County has not yet accepted it. He stated the Board could now accept the dedication if the Board makes a determination the road is necessary for public service even if that is access for emergency services such as fire services.

Mr. Medlin stated the County had rock and tarred Harden Cove, and he would like to put in a gravel road as the land is landlocked at present. Mr. Swims stated he will have to have a survey done and Mrs. Johnson may have some extensive work to do; but they will help as much as they can within the right of way up to her property to make her access easier.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to accept the easement dedication shown on the plat, extend Harden Cove, and make the change to the County Road Register finding the road serves a public need by, but not limited to, allowing access for emergency services and keeps the property from being landlocked.

The motion passed by a vote as follows:

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

Supervisor Lee Caldwell, Fourth District YES
Supervisor Michael Lee, Fifth District YES
See Exhibit E.2.

3. Employee Anniversary Recognitions

Mr. Andy Swims recognized the following employees from the Road Department:

10 years David Pegram
 Dwayne Wims
 Henry Crouch

15 years Phelan Nichols
 Charles Busby
 Rodney Prince
 Michael Lance
 Scott Young

25 years Alex Daniels
 Joseph Fanayam
 Joe Willie Fleming

County Administrator Vanessa Lynchard recognized the following employees:

10 years Colleen Magee – EMA
 Ashley Hendricks – Planning
 Tony Dickerson – Facilities

Supervisor Lee Caldwell recognized Circuit Clerk Dale Thompson for 50 years of service to DeSoto County. Supervisor Caldwell presented Mrs. Thompson with a Resolution of Appreciation from the Board and expressed the Board’s appreciation for all Mrs. Thompson’s contributions to Desoto County through the years.

See Exhibit E.3.

F. CONSENT AGENDA

1. Publication of Board Proceedings – Need Board President Signature

ORDER APPROVING ALL COUNTY BILLS THE MONTH OF December 2018.
AS AUTHORIZED AND PROVIDED UNDER SECTION 19-3-67 AND 19-3-35, MISSISSIPPI
CODE 1972 AMENDED.

FOR CLAIMS NUMBERED 893-1434 (Fund 001); 10-12 (Fund 024); 16-23 (Fund 025); 30-42 (Fund 026); 8-12 (Fund 027); 22-31 (Fund 028); 4-6 (Fund 033); 21-36 (Fund 044); 8-10 (Fund 075); 2 (Fund 097); 30-43 (Fund 101); 38-55 (Fund 105); 9-19 (Fund 106); 7-11 (Fund 108); 6-7 (Fund 120); 159-245 (Fund 156); 66-108 (Fund 160); 3 (Fund 170); 1 (Fund 229); 2 (Fund 231); 1 (Fund 232); 9 (Fund 313); 1 (Fund 315); 3-5 (Fund 380); 20-28 (Fund 501); 2 (Fund 604); 9-11 (Fund 650); 3 (Fund 654); -92 (Fund 681); 7-8 (Fund 682)
TOTALING \$ 10,709,428.25

BE IT ORDERED:

That all county bills for DESOTO COUNTY for the month November 2018 claims numbered as noted above totaling \$ 10,709,428.25 is hereby approved as presented by the Chancery Court Clerk of DeSoto County.

These are claims presented and approved during the month of December 2018.

ORDERED AND DONE THIS 28th DAY of December 2018.

Supervisors that were present at the December 28, 2018 meeting were Michael Lee, William Russell, Mark Gardner, Jessie Medlin and absent was Lee Caldwell.

2. Office of Finance & Accounting

a. Budget Amendments – Animal Services, Adult Drug Court, Volunteer Fire Department Buildings, Capital Projects/County Wide Building Security

		Fund/Department #		001 / 445		
(1)	Animal Services					
ACCT #	LINE ITEM	YEAR TO DATE	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
	REVENUE					
001-000-370	Animal Shelter Donations	\$ 800.00	\$ 595	\$ 205		\$ 800
	EXPENSE					
001-445-698	Canine Supplies - Food	\$ 6,545.14	\$ 20,280	\$ 50		\$ 20,330
001-445-938	Heating & Air Units - Donations	\$ -	\$ 10,836	\$ 155		\$ 10,991
	TOTALS			OVERALL INCREASE	\$205.00	
Reason for Request: (Show detailed)	Increase revenue and increase expenses to account for recent restricted donations given to the animal shelter.					
		Fund/Department #		026 / 244		
(2)	Adult Drug Court					
ACCT #	LINE ITEM	YEAR TO DATE	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
	REVENUE					
026-000-376	Insurance Proceeds	\$ 15,837.00	\$ -	\$ 15,837		\$ 15,837
	EXPENSE					
026-244-915	Vehicles-Above \$5,000	\$ -	\$ 35,000	\$ 15,837		\$ 50,837
	TOTALS			OVERALL INCREASE	\$15,837.00	
Reason for Request: (Show detailed justification)	Increase revenue and increase expense to account for insurance proceeds and to purchase new vehicle due to vehicle being declared a total loss. Additional information is attached.					
		Fund/Department #		313 / 338,347,348		
(3)	Volunteer Fire Department Buildings					
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
	Lewisburg Dept					
313-338-540	Facilities Mgt Service Calls	\$ -	\$ 500	\$ 8,000		\$ 8,500
313-338-641	Building Supplies	\$ -	\$ -	\$ 2,500		\$ 2,500
	Nesbit Dept					
313-347-540	Facilities Mgt Service Calls	\$ -	\$ 3,997	\$ 2,800		\$ 6,797
	Walls Dept					
313-348-639	Signs	\$ -	\$ -	\$ 2,800		\$ 2,800
313-348-907	Other Improvements/Under 25000		\$ 6,460		\$ 2,800	\$ 3,660
	Ending Cash					
313-999-999	Ending Cash	\$ -	\$ 57,918		\$ 13,300	\$ 44,618
	TOTALS		\$ 68,875	\$ 16,100	\$ 16,100	\$ 68,875
Reason for Request: (Show detailed)	Reallocate funds to account for fire committee approved project expenses at various volunteer fire departments.					
		Fund/Department #		380 / 228		
(4)	Capital Projects - County Wide Building Security					
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
380-228-640	Fencing	\$ -	\$ -	\$ 5,500		\$ 5,500
380-228-641	Building Supplies	\$ -	\$ -	\$ 39,444		\$ 39,444
380-228-924	Computer Hardware & Software	\$ -	\$ -	\$ 30,000		\$ 30,000
380-999-999	Ending Cash	\$ -	\$ 91,600		\$ 74,944	\$ 16,656
	TOTALS		\$ 91,600	\$ 74,944	\$ 74,944	\$ 91,600
Reason for Request: (Show detailed)	Per Board approval of project and amount during 12/17/18 meeting, allocate funds from ending cash to begin courthouse security upgrades.					

b. SID Forfeitures

The following seized funds listed have been forfeited by court order to be transferred from the seized account to the forfeiture account and for the District Attorney's Office to receive their 20% in the form of a check. Please approve the transfer of the funds and the clerk to write the check.

Case #	Date Seized	Receipt #	Amount	Date of Forfeiture	District Attorney (20%)
2017-69279	11.17.18	34849	904.00	12.17.18	180.80
		Total	\$ 904		\$ 180.80

Transfer from Sheriff-Seized Fund (123-000-001) \$ 904
 Transfer to Sheriff-Forfeiture Fund (120-000-001) \$ 904
 Amount to remain in forfeitures (120-000-238) \$ 723.20
 Check amount to the District Attorney (120-000-147) \$ 180.80

9. Animal Services – MSU Visits – February 14 & 15, April 11 & 12 - \$248 per Visit for Lodging & Authorize Clerk to Write Check for Meal Reimbursement

10. Road Department – Safety Report

Supervisor Mark Gardner 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. Appointments by Board:

- District 2 – Keep DeSoto County Beautiful**
- District 2 – M.R. Davis Library**
- District 4 – M. R. Dye Library**
- District 2 – Planning Commission**
- District 5 – Planning Commission**

Supervisor Gardner stated he is still working on the appointments in District 2.

Supervisor Lee Caldwell stated Ms. Argusta Walker is willing to continue to serve on the M.R. Dye Library Advisory Board, and she recommended Ms. Walker for that appointment.

Supervisor Michael Lee stated he has asked Mr. Murray Haislip to serve on the Planning Commission, and he recommended Mr. Haislip for that appointment.

Supervisor Michael Lee made the motion and Supervisor Mark Gardner seconded the motion to approve the District 4 and District 5 appointments, as recommended, and to table the District 2 appointments until February’s 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 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. Meadowbrook LSBP-17(7) – Final Acceptance

Mr. Tracy Huffman, State Aid Engineer, stated this document is the formal acceptance of the LSBP. He stated all the documents have come in incremental steps. Mr. Huffman stated the contractor had some punch list items and they waited to see the effects of the final work before bringing the Final Acceptance to the Board. Mr. Huffman noted the project came in a little under budget.

Supervisor Gardner asked how long this bridge should last. Mr. Huffman stated it should have a 25-30 year life span.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the final acceptance of the Meadowbrook LSBP-17(7) 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.2.

3. National Guard Armory

a. Update on Project & Groundbreaking

Supervisor Caldwell stated the National Guard called and they want to have a ground breaking ceremony on Monday, January 28, 2019 at 11:00 a.m. She stated everyone will be invited to come.

Supervisor Gardner expressed appreciation to the Austin Family for donating the land for the National Guard Armory.

Supervisor Caldwell said they are scheduled to start building in 2024, but they think that date will be moved up.

b. Advertising County Resources

Supervisor Caldwell said the County has been asked to furnish coffee and light refreshments for the ground breaking.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve an allocation up to \$100 from Advertising County Resources for the National Guard Armory groundbreaking ceremony; after having determined that the request to advertise county resources met the guidelines of the policy adopted by the Board of Supervisors and, in accordance with Section 17-3-3, of the Mississippi Code of 1972, the Board of Supervisors did make a determination that the above request would advertise the resources and possibilities of DeSoto County and thereby advance the moral, financial and other interests of DeSoto County.

The 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>

4. Equipment Rodeo Safety Day Update

Mr. Swims stated he has talked to some of the cities about joining the Road Department for an Equipment Rodeo Safety Day. He stated this basically makes a time to bring in vendors and safety related people to talk about safety practices. Mr. Swims stated the rodeo is a little competition between the cities and county on their skills operating equipment. He said it gives people an opportunity to test new equipment also.

Mr. Swims said it was suggested they have the event at the Landers Center sometime in April as a 9 am to 3 pm event with lunch provided. He stated they would like to bring in 811, Entergy, Atmos and use them as an opportunity for training. He said MDOT does something similar and it is very successful.

Supervisor Caldwell stated the school district does something similar with the bus drivers and she feels it is a good idea.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to authorize Mr. Swims to move forward in organizing the Equipment Rodeo Safety Day.

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. Agri Education – Contract for Architect/Engineer

Mrs. Lynchard reminded the Board that the architect had sent a contract last meeting that needed some legal follow-up. Mr. Nowak stated he had sent the contract back to the architect with some changes and they did not take all the changes. Supervisor Caldwell said they needed to have another committee meeting to go over the contract.

6. Intersection Study – Highway 305 & Bethel Road

Mr. Swims stated they have done 2 or 3 traffic counts; one fairly recently. He said MDOT has gotten some as well. Mr. Swims said at one time, the intersection was meeting warrants at peak hours and he thought with the opening of 269 the counts were probably higher.

Supervisor Lee asked if Mr. Swims had heard back from any of the letters sent to MDOT regarding this intersection.

Mr. Nowak stated Rep. Henley requested legislation last week, HB275 that would require MDOT to install a light at Highway 305 & Bethel Road if passed.

Supervisor Medlin said he had met with Mitch Turner from MDOT about Stewart Road and Highway 305 also as a new subdivision is planned for that area.

Supervisor Gardner said he received a call from Senator Massey and he is working on a companion bill for the Senate.

7. Intersection Study – Star Landing and Highway 301

Supervisor Caldwell said she wanted to get new traffic counts at Star Landing Road and Highway 301 as well. She asked Mr. Swims to contact Mitch Turner to see if anything has changed with the warrants at that intersection with the completion of I269 through the area. Supervisor Caldwell also asked Sheriff Rasco to compile statistics of wrecks at this intersection for the past 5 years.

8. Transportation Committee Reports

a. Star Landing & Swinnea – Flood Issue

Supervisor Caldwell said the people at Star Landing and Swinnea are saying a lot of water has been dumped on them because of the subdivision there. She stated they need to add that area to the Corps of Engineers’ flood study.

b. Award of ERBF Funds

Supervisor Caldwell reminded the Board they applied for Emergency Road & Bridge Funds and they have sent notification that DeSoto County received \$7.5 million for Holly Springs Road, \$1.7 million for the Star Landing Road Bridge on the west side of the County, and Southaven received \$1.9 million for the Stateline Road Bridge.

Supervisor Caldwell expressed thanks to Mr. Tracy Huffman and Waggoner Engineering for all the work they did toward the ERBF grant. She said they were very excited to get this information from MDOT.

Supervisor Caldwell said the Transportation Committee will get back with Southaven about the Stateline Road Bridge. Mr. Huffman stated the efficiency rating for the Stateline Bridge has dropped below 50%, so that will free up some State Aid funds to help with that project.

Supervisor Gardner asked if the weight limit on the bridge had been changed. Mr. Huffman stated it has been posted.

See Exhibit G.8.b.

9. Courthouse Security Update

Mr. Jarman stated he sent in all the information about the pipe bollards, fencing in the back and inside wall and the Dept. of Archives wants more information. He stated he is trying to get materials together to show them exactly what the wall in the Courthouse will look like. He said he really cannot get prices together until they approve the materials. Mr. Jarman stated Ryan Hill in the IT Department is writing the specs for the camera system, panic button system, etc. He said Mr. Hill is working hard on making sure what is purchased is up-to-date and will meet the County's needs for the future as well.

Mr. Jarman said the only thing they have really been able to move forward with is moving the monitoring room at the courthouse. He said they came up with a room that will be the security room and all the monitoring will be in one room with the Bailiff. He stated they will put the vending machines back in the small room which will help with the screening as people will not have to leave the building to go to the vending machines.

Mr. Jarman stated the majority of the construction has to be approved by the Dept. of Archives and they are very concerned about the visual impact the wall on the judges' hall will have. He said they are good with the design of the fence as they mirrored the handrail on the front, but they are concerned with how the back looks and what the public sees.

H. PLANNING

1. Public Hearing 9:30 a.m.

Supervisor Gardner made the motion and Supervisor Lee seconded the motion to open the Massey Place Public Hearing advertised for this day.

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

a. Rezoning

- i. **Massey Place C2 (773) – Application is for rezoning of 2.00 acres from AR to C2, Located on the southwest corner of Laughter and I-269, identified as Parcel #2077350000003910 in Section 35, Township 2, Range 07 (District 5)
Applicant: Bridgforth Properties**

Mr. Hopkins presented the Massey Place application for rezoning of property from A-R to C-2. He stated that the Planning Commission recommended approval conditioned on the same uses being struck from this application as were struck from the application for the adjacent property (Laughter C-2 Rezoning). Mr. Barry Bridgforth was present to represent the application.

Mr. Bridgforth came forward and stated that the application for the 2 acres that he purchased from MDOT but the sale was not complete when the adjoining 65 acres were rezoned previously. He then stated the same conditions would be applied to this application as the Laughter Road C-2 rezoning that was approved, to include the removal of the same uses as the adjacent property. He stated that the property is served sewer, water and gas by the City of Olive Branch.

Supervisor Lee asked if the property will have covenants. Mr. Bridgforth stated that it will have covenants limiting the permissible uses..

Supervisor Caldwell asked if there was anyone to speak for or against the application.

Peggy Dobbins - 686 Laughter Road – came forward and stated that she would like to see the same restrictions on this property as the adjacent property that was recently rezoned C-2.

Supervisor Lee made a Motion and Supervisor Gardner seconded the Motion to approve Massey Place C-2 application for rezoning of property from AR to C-2 to include covenants being recorded to run with the land to reflect the following be prohibited on the site:

- The permitted uses listed in the zoning ordinance as #2, #4, #6, #14 (as to motel and motor lodge only), #18, #21 and #32
- Permitted Uses listed in the zoning ordinance as - #19 – to read “Motor Vehicle sales, service and repair.”, #33 to provide that there is no shower or sleeping area
- conditional uses listed in the zoning ordinance as #1, #7, #10 and #15;

finding that after consideration of the recommendation by the Planning Commission, the comments of the applicant and the public from this meeting, documents presented, his knowledge of the area, this rezoning will not adversely affect the character of the surrounding residential neighborhood, that there is substantial evidence of a change in the character of the neighborhood and there is a demonstrated public need for the zoning.

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

Supervisor Medlin made the motion and Supervisor Lee seconded the motion to close the Public Hearing advertised for this day.

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

Supervisor Lee made the motion and Supervisor Medlin seconded the motion to open The Orchard and Center Hill Estates Public Hearings advertised for this day.

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. **The Orchard (772) - Application is for approval of Rezoning of property from AR to AR Overlay identified as Parcel # 2065150000001000, located north side of Stewart Road and east of Highway 305 in Section 15, Township 2, Range 6 and is zoned AR (District 1)
Applicant: Chad Fischer**

Mr. Hopkins presented The Orchard application for approval of rezoning from AR to AR Overlay. Mr. Rusty Norville was present to represent the application.

Supervisor Medlin stated the previous application for this property was denied due to the increased traffic onto Hwy 305.

Mr. Norville stated that they met with the neighbors about this project. He then stated that he believes MDOT is looking into the traffic concerns at Hwy 305.

Supervisor Medlin discussed what MDOT is doing in the area. He then stated that Mr. Norville worked with staff and the neighbors and has reduced the number of lots. He then stated he feels

like this is a good plan embraced by most of the neighbors. He then stated that the plan addresses the drainage concerns.

Supervisor Caldwell asked if there will be a buffer. Mr. Norville stated that there will be a buffer along Stewart Road.

Supervisor Medlin asked Mr. Andy Swims at which phase of development is the detention pond installed. Mr. Swims stated if it is a sensitive area then the Engineering Department would recommend installation on the front end.

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

David Linville – 9388 Stewart Road – came forward and has the following concerns:

- Traffic on Hwy 305
- Traffic safety
- Too many houses accessed by Stewart Road, feels there is a possible alternative access to Hwy 305 near the church
- Would like the lots to be larger
- Decreased safety at the intersection
- Decreased safety due to so many lots on a single access road (Stewart Road)
- Increased traffic

Supervisor Medlin stated that the property beside the church would have to be looked at by MDOT as a possible access point. He stated there is increased traffic on Hwy 305 since the opening of I-269.

Shannon Pryor – 3482 Evergreen – came forward and had the following concerns:

- Feels that it is a misstatement that the majority of the neighbors are in favor of this development
- Feels that the development presented to the neighbors as the lesser of two evils and with the potential annexation by Olive Branch the neighbors need to get the best they can now
- Her property backs up to the common open space and would like to see a buffer between the common open space and her development

Supervisor Medlin stated that he lives in the area as well wants to make sure it is the best possible development.

Mr. Norville stated that there will be a buffer and a fence around the common open space.

Robby Caldwell – 9183 Stewart Road- came forward and had the following concerns:

- Had a family member involved in a wreck near the intersection
- Would encourage the Board to require a turn lane on Hwy 305

Supervisor Medlin made a Motion and Supervisor Russell seconded the Motion to table this item until February 19, 2019 meeting at 9:30 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

- iii. Center Hill Estates (770)- Application is for rezoning of property from AR to PUD, identified as Parcel # 105420000 0000400, located south of Kirk Road and west & east of Mustang Road in Section 20, Township 1, Range 05 and is zoned PUD (District 1)
Applicant: Center Hill Estates PUD**

Mr. Hopkins presented the Center Hill Estates application for rezoning of property from AR to PUD. Mr. Blair Parker was present to represent the application.

Supervisor Medlin asked what the minimum house size would be for this development. Mr. Cardosi stated the houses in this development will mimic the house sizes in Center Hill Plantation. Mr. Hopkins stated that the minimum house sizes will range from 1800-2400 sqf depending on the size of the lots.

Mr. Blair Parker stated that Center Hill Estates will be primarily residential. He stated there has been commercial development in the area such as Brussell's Bonsai and Hatcher and Associates Landscaping and schools in the area to prove a change in the neighborhood.

Mr. Parker stated that the development is 162 acres of which will be 69 acres of greenspace with the majority of the greenspace being in the flood. He stated that he feels this development is consistent with Center Hill Plantation. He then stated that he met with neighbors, the developers of Center Hill Plantation, and Mr. Len Lawhon and his family. Mr. Parker stated that they have an agreement with Mr. Lawhon to have a 20 foot buffer along the east property line.

Supervisor Medlin asked if the fence along the common space will be a white plastic fence. Mr. Parker stated that he believes that the type of wood fence they would provide would be equally as durable as a white plastic fence. He then stated that the fence will be installed all at one time and will be maintained by the HOA. Supervisor Russell stated that even though it will be installed at one time, will it be on the individual homeowner's lot, if so how will the HOA be able to repair and maintain the fence. Mr. Parker stated that the fence will actually be on the 30 ft. common space maintained by the HOA. Supervisor Lee asked if it will be a privacy fence or a rail fence. Mr. Parker stated that it will be a 6 ft privacy fence.

Supervisor Gardner asked if Brussell's Bonsai or Michael Hatcher expressed any concerns about the development. Mr. Parker stated that the owner of Brussell's Bonsai is concerned with development in the area but realizes it is coming.

Supervisor Lee stated that the plan shows 6 phases, how long you think it will take to complete the development. Mr. Parker stated they project completion to take 10 years.

There was discussion of a hydrology study done in the area. Mr. Swims stated that there was a limited detail study done that shows drainage to the north. Mr. Norville stated that he thinks two studies were done due to controversy about the bridge. He stated these studies also established the base flood elevation and the floodway. Supervisor Russell asked what will happen in the flood plain where homes are built. Mr. Hopkins stated that the homes will need to be built above the base flood elevation. Mr. Norville stated that the developer will apply for a LOMR-F. Supervisor Gardner stated he is concerned with houses being built so close to the floodway since there is continual change of the flood plain and floodway by FEMA. Mr. Norville explained the floodway and flood plain determination by FEMA. Supervisor Caldwell stated she is also concerned about run-off on to neighboring property.

Mr. Swims asked about the condition of the stream, if there is erosion. Mr. Norville stated they are not sure of the condition of the stream, but they will provide whatever measures MDEQ requires as far as leaving natural buffers along the stream. He stated they would clean out the stream/creek to prevent back-up. Supervisor Caldwell asked who will maintain the stream. Mr. Parker stated that the HOA will maintain it.

Supervisor Russell stated that he is concerned this will raise the floodplain right next to the floodway and feels it will put more water into the floodway quicker. He then stated it looks like it will be a major issue in the future. Mr. Swims said that it should not impact the floodway. Mr. Norville stated the current plan does not address drainage of detention. He stated that drainage/detention still needs to be looked at. He then stated once the detention and drainage are addressed more detention could be needed and may lose some lots. Supervisor Gardner stated it appears water will go between the schools, what will be the potential of flooding on the schools and schools' parking lots. Mr. Swims stated that study was put together to show flood and floodway and that the flood does not extend onto the school property or parking lots. Supervisor Medlin asked where the dirt will come from to build up the lot. Mr. Norville stated that there are some big hills that need to come down and that the dirt from there can be used to build up the

other areas. He then stated there is drainage coming on to the proposed site from the Lawhon property that they will have to address. He stated that there will be storm water detention that will assure that their development doesn't add to the runoff.

Supervisor Lee stated that he is concerned with the lots that back up to the ditch. Mr. Parker stated that the lots will not back up to the ditch; there will be a buffer between the top of the bank and the property line. Supervisor Lee stated that the maintenance of the ditch needs to be addressed in the covenants. Supervisor Medlin stated the responsibility of the maintenance needs to be on each deed also.

Supervisor Russell stated that the Planning Commission minutes mentions the Board of Supervisors should consider the cross section. He then stated that typically there is a third lane along the frontage, will that be done with this development. Mr. Parker stated that the existing Mustang Lane is two lanes but the developer proposes to make it 3 lanes and to have a 50 foot green space on the east side parallel to Mustang Lane. Supervisor Medlin stated that past engineers have proposed 5 lanes, but you are proposing 3 lanes with a 50 ft buffer to include a paved walking trail to allow for kids to walk to school. Mr. Parker stated that there will be an 8ft asphalt trail that will be lit. Supervisor Medlin stated that would be safer for the kids. Supervisor Russell stated this would be common open space maintained by the HOA. Mr. Parker stated they would like to make the common open space here be 30-50 ft instead of 50 ft to allow room for engineering changes needed in the final approval. Mr. Swims advised that lighting would have to be provided by the HOA; the County does not provide or pay for the lighting.

There was discussion of whether Mustang Lane was inspected by County Road Department.

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

Mr. Len Lawhon came forward and stated that he appreciates the Board scrutinizing this application, especially the drainage. He then stated that the developer has been an important part of the community. Mr. Lawhon stated that the buffer along his property will be 20 feet on the developments side and 20 feet on his side. He stated he did not want the last remaining red oak trees to be removed and also the buffer would protect an old sunken road on the property that is a part of history.

There was discussion of the condition of Mustang Road. There was concern of the truck traffic.

Supervisor Medlin asked if the applicant agree to remove permitted use items #6, 10, 17, 25 and 27 of the zoning ordinance from the permitted uses for this development. Mr. Parker stated that they feel a filling station would well serve the area. Supervisor Medlin stated that he is concerned with a truck stop being located here. Mr. Parker agreed that they do not want a truck stop or truck refueling center.

Supervisor Medlin made a Motion and Supervisor Caldwell seconded the Motion to approve Center Hill Estates application for rezoning of property from AR to PUD to conditioned upon the following:

- Those items listed in the zoning ordinances as #2, #6, #8, #10, #14, #17, #25, and #27 be removed from the permitted uses;
- The fence in the common open space can be a continuous white wood fence installed by the developer, to be maintained by the HOA;
- The mailboxes shall be uniform and ornamental metal;
- Complete study of existing hydraulic analysis be done; and
- The buffer along the east property line will be 20 foot from property line.

finding that after consideration of the recommendation by the Planning Commission, the comments of the applicant and the public from this meeting, documents presented, his knowledge of the area, this rezoning will not adversely affect the character of the surrounding residential neighborhood, that there is substantial evidence of a change in the character of the neighborhood and there is a demonstrated public need for the zoning and does not constitute the waiver of any Zoning Ordinance requirements.

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

Supervisor Caldwell asked Mr. Swims to add this area to the flood study and to make sure a hydrology study is done. She asked Mr. Laughter to look into having a marker placed at the old stage coach road.

2. Preliminary Subdivision

- a. Vinson Ridge, Phase 3 (7313) – Application is preliminary approval of 14 lots on 25.33 acres to include a waiver of the cul-de-sac length, identified as Parcel(s) #3-07-9-30-00-0-00005-00. Subject property is located on the north & south side of Vinson Rd and west of McCracken Road in Section 30, Township 3, Range 7 and is zoned A. (District 5)
Applicant: Vinson Ridge Developers, LLC**

Mr. Hopkins presented the Vinson Ridge, Phase 3 for preliminary approval of 14 lots on 25.33 acres to include a waiver of the cul-de-sac length. Mr. Andy Richardson was present to present the application.

Supervisor Lee asked if there will be two access points. Mr. Hopkins stated that there will be Hunter Road and Price Road.

Mr. Richardson stated this is the final phase of Vinson Ridge; the developer had hoped to purchase more property to the south but was not able to. He then stated that the property owner to the south would like to purchase a 40 foot strip of property to access Hunter Cove. He stated the property owner to the south does not intend to develop his property.

Supervisor Medlin asked if there was anyone to speak for or against the item. There was no one.

Supervisor Lee made a Motion and Supervisor Russell seconded the Motion to approve Vinson Ridge, Phase 3 for preliminary subdivision of 14 lots on 25.33 acres to include a waiver of the cul-de-sac length.

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	ABSENT
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

3. Final Subdivision

- a. Bakersfield West, Section B (7312) - Application is for final subdivision approval of thirty two (32) lots on 20.0 acre(s) to include a waiver to allow the side setback to be 10 ft instead of the require 15 ft and to authorize the Board President to sign the Residential Development Agreement and the Erosion Control Agreement. Subject property is identified as Parcel(s) #2-07-7-26-00-0-00003-00. Subject property is located on the east side of Malone Road and south of Pleasant Hill Road in Section 26, Township 2, Range 7 and is zoned (R-20). (District 5)
Applicant: R.R. Bridgforth Heirs**

Mr. Hopkins presented the application for Bakersfield West, Section B for final subdivision approval of thirty two (32) lots on 20.0 acre(s) to include a waiver to allow the side setback to be 10 ft instead of the require 15 ft and to authorize the Board President to sign the Residential

Development Agreement and the Erosion Control Agreement. Mr. Barry Bridgforth was present to present the application.

Mr. Bridgforth stated this is a continuation of Bakersfield Subdivision that began around 2000. He stated he is requesting the side setback to be 10 feet like all other lots in the development. He then stated that they will have a construction road on to Malone Road.

Supervisor Medlin stated that the plat shows a cove at Malone Road, will it be a permanent road in the future. Mr. Bridgforth stated it would be a construction road for now and eventually the permanent road would go to either Malone Road or to Pleasant Hill Road. Supervisor Medlin asked what the width of the road would be. Mr. Bridgforth stated the road will be 24 feet wide with a 5 foot walking lane. Supervisor Medlin asked if the road would be a cove for now. Mr. Keith Williams came forward and stated that it would be a construction drive to Malone for now but that they could rough in a turn around. Mr. Bridgforth stated he did not want to divide that part of the property at this time. Supervisor Russell asked for clarification that it will be a construction road and not for public use. Mr. Williams stated they did not want to connect the road to Malone Road because they did not want to change the size of the commercial lot at this time. Supervisor Russell stated if the intention of the road is only for emergency vehicles a turnaround will be needed for school buses and such. Mr. Williams stated they wanted to keep their options open to be able to either turn the road to the north to Pleasant Hill or continue out to Malone Road. Mr. Bridgforth stated that they could asphalt the road all the way to Malone Road; it would be more cost effective if they are going to have to asphalt the turn around. He then stated they would just build a county road out to Malone Road. He stated for now it will just be a gravel road until the homes are completed.

Supervisor Lee made a Motion and Supervisor Medlin seconded the Motion to approve Bakersfield West, Section B for final subdivision approval of thirty two (32) lots on 20.0 acre(s) to include a waiver to allow the side setback to be 10 ft instead of the required 15 ft, with a road compliant with county specifications built out to Malone Road, and to authorize the Board President to sign the Residential Development Agreement and the Erosion Control Agreement.

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	ABSENT
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

4. Minor Lot

- a. Jones Farm Minor Lot (7315) - Application is for final subdivision approval of two (2) lots on 7.99 acre(s) to include a waiver to allow the easement length to be 777.89 ft instead of 650 ft. Subject property is identified as Parcel(s) #3-05-9-30-00-0-00008-03. Subject property is located on the west side of Red Banks Road and north of Holly Springs Road in Section 30, Township 3, Range 5 and is zoned (A). (District 1)**
Applicant: Greg Jones/Everette West

Mr. Hopkins presented the Jones Farm Minor Lot for final subdivision approval of two (2) lots on 7.99 acre(s) to include a waiver to allow the easement length to be 777.89 ft instead of 650 ft. Mr. Greg Jones was present to represent the application.

Supervisor Medlin made a Motion and Supervisor Russell seconded the Motion to approve Jones Farm Minor Lot for final subdivision approval of two (2) lots on 7.99 acre(s) to include a waiver to allow the easement length to be 777.89 ft instead of 650 ft.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

5. Consent

- a. Dennis One Lot Minor Lot (7316) - Application is for final subdivision approval of one (1) lot on 2.12 acre(s) out of 14.49 acres. Subject property is identified as Parcel(s) #2-07-7-35-00-0-00026-00. Subject property is located on the north side of Byhalia Road and east of Malone Road in Section 35, Township 2, Range 6 and is zoned (A). (District 5)
Applicant: Ymeka Dennis/Andy Richardson**

Mr. Hopkins presented the Consent Agenda item above. He then stated the application meets all Subdivision Ordinance requirements.

Supervisor Lee made the motion and Supervisor Russell seconded the motion to approve the Consent Agenda items and actions as presented.

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	ABSENT
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

6. Other

- a. Yearend Permit Report**

Mr. Hopkins presented the Yearend Building Permit report.

- b. Annual Zoning Map**

Mr. Hopkins presented the Annual Zoning Map for adoption.

Supervisor Medlin made the motion and Supervisor Russell seconded the motion to adopt the Zoning map to include the rezonings approved in 2018.

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

- c. Williams Ridge**

Mrs. Lynchard stated that she would like to make the Board aware of more comments from the City of Southaven.

There was discussion of concerns presented by the City of Southaven, specifically a convenience store in this development. There was discussion that what was approved meets County regulations and that gas pumps will be a conditional use.

There was discussion that no matter what type of commercial development there is improvements will have to be made to Getwell Road. It will match the existing Starlanding Road on the east side as what is on the west side.

Supervisor Lee stated that he would like to see if the Mayor of Southaven and Planning Director for the City of Southaven could come to the County Building to meet Thursday afternoon.

d. Parking Ordinance

There was discussion of the current parking ordinance. Supervisor Russell stated that he has met with Mrs. Lynchard and Mr. Nowak about on street parking. He stated he feels the best solution would be that Class 6 or larger commercial vehicles not be allowed to park on any County Road. Mr. Nowak stated he is working on the language. Supervisor Russell stated that he would like to go ahead and set a public hearing to discuss parking on County Roads.

Supervisor Russell made a Motion and Supervisor Lee seconded the Motion to schedule a Public Hearing to discuss on street parking for 9:30 a.m. on March 18, 2019.

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

See Exhibit H.

I. NEW BUSINESS

1. EMS – Request to Accept 2 Surplus School Busses from DeSoto County Schools

Deputy Chief Josh Harper reminded the Board of the mass casualty incident on I269 and that the response to that incident was fantastic. He stated the County and municipalities worked together in a great display of cooperation. Mr. Harper stated the one shortfall was the ability to move more patients quickly. He stated that even the people that were not seriously hurt had to wait in the cold for transport. He stated that EMA has an Ambus kit they received from a grant that will fit in a bus and transport up to 12 patients at a time. He stated the buses the school has are mini buses and can transport 6 per bus.

Mr. Harper stated EMA reached out to the school district to request surplus buses and the school district has offered 2 mini buses at a cost of \$10.

Supervisor Caldwell asked if the buses will be ready to go and maintained at all times. Mr. Harper affirmed and said they will be on the EMA’s Monday checklist to be sure they crank and have an inspection. Mr. Harper stated these buses will give EMA the capacity to transport 24 patients.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to accept the surplus buses from the school district at a cost of \$10, authorize the Board Attorney to complete the necessary transfer, 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 Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.1.

2. Animal Services – Feb’fur’ary Adoption/Vaccination Event

Animal Services Director Monica Mock stated the adoption event will offer \$10 adoptions all month and vaccinations on the 7th, 8th, and 9th.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to approve the Feb'fur'ary Adoption/Vaccination Event as presented by Mrs. Mock.

The motion passed by a vote as follows:

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

See Exhibit I.2.

3. Office of Procurement

a. Purchase Exceeding \$25,000 – Adult Drug Court – Vehicle Purchase

Mrs. McNeil stated they got 2 quotes to replace a vehicle damaged by hitting a deer. She stated the vehicle is not on state contract and the lowest quote was from Landers Ford South. The quotes are as follows:

2019 Ford Explorer	Landers Ford South	\$29,937.00
	Hallmark Ford	\$30,777.00

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to purchase the vehicle from Landers Ford South for \$29,937.00 as presented by Mrs. McNeil.

The motion passed by a vote as follows:

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

See Exhibit I.3.a.

b. Purchase Exceeding \$25,000 for Mini Excavators for Road Management

Mrs. McNeil stated the mini excavators were not on state contract in December, so they went out to bid. She said they had 2 interested bidders, but one bidder submitted his bid too late, leaving only one qualified bidder. Mrs. McNeil said instead of going through the reverse auction process with one bidder, they reached out to see if there was anything on the state contract and found the Kubota mini excavators had been added. She requested the Board to reject bid # 19-300-010 and authorize the purchase of 2 mini excavators off state contract at a total cost of \$192,770.02.

Supervisor Michael Lee made the motion and supervisor Jessie Medlin seconded the motion to reject the bid received for bid #19-300-010, and to approve the purchase of 2 Kubota mini excavators from Reliable Equipment at a total price of \$192,770.02 at state contract pricing as presented by Mrs. McNeil.

The motion passed by a vote as follows:

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

See Exhibit I.3.b.

c. Bid Tab – Equipment for Sheriff's Vehicles Bid File #19-200-001

Mrs. McNeil stated they had a reverse auction to outfit the 23 new vehicles purchased by the Sheriff's Department. Mrs. McNeil said ComServe Mphs was the low bidder at \$86,650.00 and the alternate bidder was Dana Safety Supply at \$87,750.00.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to approve the purchase of equipment for Sheriff's vehicles from ComServe Mphs at \$86,650.00 finding them to be the lowest and best qualified bid; and note Dana Safety Supply will be the alternate at \$87,750.00.

The motion passed by a vote as follows:

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

See Exhibit I.3.c.

4. Office of Finance and Accounting

a. Preliminary Inventory Disposition - IT

Inventory Clerk Hunter Pettigrew stated the list included broken computer equipment, printers, and servers collected by IT over time.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve the preliminary inventory disposition from IT as presented by Mr. Pettigrew.

The motion passed by a vote as follows:

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

See Exhibit I.4.a.

b. Interfund Transfer

Mrs. Freeze stated the transfer is from November in the amount of \$14.40. She said it is small but necessary to repay the road fund for 2 sign posts at the Sheriff's Department.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize the interfund transfer from the Sheriff's Department to the Road Fund for sign posts in the amount of \$14.40.

The motion passed by a vote as follows:

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

See Exhibit I.4.b.

c. Claims Docket

Supervisor Medlin asked about the following claims:

Page 1 – DeSoto Economic Council – Crime Stoppers – Mrs. Freeze stated that was posted to the wrong vendor and will be corrected for Crime Stoppers.

Page 55 – Wells Fargo – Parts for Road Department– Mrs. Hanks stated checks for Summit Trucks now have to go through Wells Fargo.

Supervisor Gardner asked about the following claims:

Page 8 – JE Vance – Mrs. Freeze stated this is one piece of the cost for 130 hours of 185 hours budgeted. Mrs. Lynchard said she had never seen anyone more prepared for an auditor than Mrs. Freeze. She said when the auditors get here; they can sit down and start their audit right away.

Page 11 – MS Urban – Mr. Jarman said he got new wrought iron benches for the courthouse and administration buildings to replace the wooden ones.

Page 25 – Paulsen Printing – The invoice showed 5 boxes of business cards at \$45 per box. Mrs. McLeod checked and said the cards had a picture on them, so they cost more.

Page 32 – National Safety Supply – The invoice showed 2 lasers for SWAT team

Page 37 – Rescue Tech – Sheriff Rasco said that was equipment for swift water rescue training

Page 40 – Gall’s – Tru-Spec – The invoice showed cargo pants for EMA

Page 53 – Dodge Durango – Pine Belt – The invoice showed this dealership is in Hattiesburg and the vehicle was on state contract

Page 55 – Thompson Machinery – Travel time and mileage – The invoice showed this was 2 invoices and each invoice included labor, parts and mileage.

Page 61 – Waggoner – Mr. Huffman stated that was for the warrant analysis for 2 intersections.

Page 62 – Waggoner - \$11,000 toward the Corps of Engineer study – Mr. Huffman stated he has a report on it. He stated they are tracking the expenses and submitting quarterly for the County’s local match. Mrs. Freeze stated Accounting is setting up a project sheet to track the County’s portion and the Corps’ portion.

Page 67 – Thompson Engineering - \$101,211 – Mr. Swims stated that was a backhoe for the eastern shop off state contract.

Supervisor Bill Russell had no questions.

Supervisor Lee Caldwell had no questions.

Supervisor Michael Lee asked about the following claims:

Page 5 – Armstead – Mr. Nowak stated that is a suit alleging harassment

Hearn – Mr. Nowak stated that was to go to trial next week, but has been continued to April

Page 11 – High Security – Ambrose Glass – Mr. Jarman said that was at Juvenile detention to replace a broken window.

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 authorize the Chancery Clerk to pay the bills as presented by the Chief Financial Officer except for Neel Shaffer on Page 61.

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>

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Michael Lee made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Chancery Clerk to pay the bill for Neel Shaffer on Page 61.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>RECUSED</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. Hanks informed the Board that Josh Wilson, former constable, dropped off a box of equipment and that Ms. Hodge's bond has been processed and is being sent to the Accounting office.

See Exhibit I.4.c.

5. Road Department

a. Approval of 4-Year Road Plan

Mr. Swims stated his department has been working on the overlay list by riding the roads, meeting with his superintendents, talking with the Supervisors and addressing some concerns. He presented the 4, 10, and 15-year plans for overlay, slurry seal, and pavement preservation. Mr. Swims reminded the Board that last year they increased the budget for overlays to \$3 million and took some from the slurry seal line to put into the hot mix overlay. He stated the hot mix covers less road, but it is a longer lasting product. Mr. Swims noted the \$3,404,000 is over budget, but they are hoping to get a better end price on overlays with a larger number. He said if the price does not lessen, they may have to come back and cut some roads.

Supervisor Michael Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve the 4-Year Road Plan as presented by Mr. Swims.

The motion passed by a vote as follows:

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

See Exhibit I.5.a.

6. Resolution Proclaiming School Board Appreciation

Supervisor Caldwell informed the Board that the School District will be recognizing the School Board members on February 21st and she asked the Board to adopt a resolution to present to the School Board.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to adopt the Resolution of Appreciation for the DeSoto County School Board and authorize the Board to sign the resolution.

The motion passed by a vote as follows:

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

See Exhibit I.6.

7. Contract Administration

a. IT – Solarwinds - Prepayment

Director of Procurement and Administrative Services Pat McLeod stated this contract is with Solarwinds for providing a storage solution for file sharing and gives the County Ebox capability. Mrs. McLeod stated Solarwinds has provided a necessary service to the County for 12 years and has been in business for 20 years.

Supervisor Jessie Medlin made the motion and supervisor Michael Lee seconded the motion to approve the contract with Solarwinds and the prepayment of the contract finding them to provide a necessary and immediate service to the County, the vendor has sufficient capacity to perform the services, and that the County has done business with them for 12 years.

The motion passed by a vote as follows:

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

See Exhibit I.7.a.

8. Approve Special Prosecutor for Justice Court – Bill Seale & Authorize Clerk to Write Check

Mrs. Lynchard stated the Board had previously approved the special prosecutor, but the clerk needed authority to write the check.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to authorize payment to the special prosecutor 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>ABSENT</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.8.

9. Continuing Disclosure Report

Mrs. Lynchard stated Butler Snow does a yearly continuing disclosure report. Mr. Nowak stated the fee went up a few years ago, when the reporting requirements changed, but hasn't changed since.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve the contract with Butler Snow regarding the continuing disclosure reporting 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 I.9.

10. Parking in Residential Neighborhoods

Planning Director Bennie Hopkins stated the committee met to address issues that have come up and said they think Class 6 Commercial vehicles should not be allowed to park on any County road. He stated they are continuing to get that language together and they are looking at doing a stand-alone ordinance.

Supervisor Russell stated he would like to schedule a public hearing if the Board Attorney is

ready. Mr. Nowak stated the Board could go on and have a public hearing for comments and revisions regarding the ordinance.

Supervisor Bill Russell made the motion and Supervisor Michael Lee seconded the motion to schedule a public hearing for March 18, 2019 at 9:00 a.m. to discuss parking in residential neighborhoods.

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>

11. Voting Precinct 204 Discussion

Supervisor Gardner said the District 2 Election Commissioner asked him to meet with the Election Commission as they have a polling place they would like to move from Southaven Intermediate School. He stated traffic and parking are a problem on voting days when school is in session. He stated Goodman Oaks Church of Christ has agreed to host the polling place and he would like the Board to officially move it so that the voter registration cards can go out and the word can get to all the voters in that precinct.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to move the #204 Greenbrook South polling site to Goodman Oaks Church of Christ at the recommendation of the Election Commission, ask the Circuit Clerk to send out the voter registration cards as soon as possible, and authorize the Board President to sign the agreement with Goodman Oaks Church of Christ identifying them as a polling place.

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>

The Board had a discussion about other polling sites that need to be looked at for safety and traffic reasons. Supervisor Russell stated he did not think having a polling place in a school is a good idea when school is in session. Supervisor Caldwell agreed and said the Superintendent of Education also agrees. She said a couple of the schools have the polling place set up completely segregated from the students and those work well, but the others need to be examined. Mrs. Lynchard stated the 2020 census will require some to be moved in 2021. Supervisor Russell said he would like to see this happen and not wait.

See Exhibit I.11.

12. Report from MAS Conference

Supervisor Caldwell said they had some great meetings and noted that tax sale litigation was a big topic. Mrs. Heffner stated she and Mr. Nowak have talked about the Attorneys' Association and Chancery Clerks' Association working together to put together legislation to help.

Reverse Auction: Mrs. Lynchard said the State may remove term bids from the reverse auction process, but it will require legislation.

Broadband HB366 – Supervisor Gardner said that he spoke with Michael Bellapini and he said the language in the bill is the same thing they already have in place for right of way usage. Supervisor Caldwell said the bill has some questionable language, but DeSoto County seems to be the only county that is concerned. She suggested they contact MAS and Senator Massey with their concerns.

Final Year in Term Restrictions – Mrs. Lynchard said the audit department said there were 2 pieces of legislation referring to installment contracts and compensation for road employees that were impossible to fulfill, but they are on the books. Supervisor Caldwell said she, Supervisor Gardner, and Supervisor Lee met with some legislators and Senator Parker is going to submit a bill with language to help take care of this.

2020 Census – Supervisor Gardner said Secretary of State Delbert Hosemann spoke of the importance of the 2020 Census and everyone getting counted. He said the census will come in the mail and the amount of Federal money the State gets is dependent on a complete census.

Legislative Forecasts:

Mrs. Lynchard stated the PERS employer match can be changed by legislation, but state law has to increase the employee PERS match. She said the legislature is looking at that.

Supervisor Gardner said CSpire will be sending a map of where they have fiber connectivity. He said they are talking about providing fiber to the home by using existing lines. Supervisor Gardner said between that and the broadband push by the Public Service Commission, the County may get coverage in some areas that do not currently have any. He stated all County buildings and schools must have internet connectivity. Supervisor Caldwell said she wanted to see if Eudora and Walls Fire Departments have fiber, and be sure they get it if they don't have it already. Mr. Nowak stated the County would have to approve a franchise agreement for right of way usage, and CSpire will have to pay the 5% franchise fee.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to authorize the firm of Smith, Phillips, Mitchell, Scott & Nowak to work on the franchise agreement with CSpire and have Supervisor Gardner and Supervisor Russell to look over it as well and make suggestions.

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>

Mrs. Lynchard stated Senator Blackwell is taking some of the initiatives the Board sent and trying to get them passed; in particular, the request to extend the County's surplus funds & investments.

Supervisor Caldwell said she and Supervisor Lee met with Commissioner of Agriculture Andy Gipson and he informed them that Agri Business is a big thing around the country. He said he would like to put a satellite office at the Star Landing complex when it is done. She said it is also interesting that the Colonel from the Armory said his son is majoring in Agri Business at MS State.

Supervisor Medlin asked if there were any updates on the Homestead Exemption application updates. Mrs. Heffner stated the laws are very outdated and the State still has not updated the application to allow for the birthdates of both applicants. Supervisor Caldwell suggested Mrs. Heffner speak with Representative Hopkins.

Supervisor Caldwell stated they also met with MDOT and talked about Holly Springs Road, widening Highway 305, and McIngvale Extension. She said MDOT does not show that the Land Bank for Holly Springs Road was filed, and they are checking on that.

See Exhibit I.12.

13. Washington Congressional Briefing – Priorities for Agenda

The Board agreed that Star Landing Road widening and Star Landing interchange on I-55 were priorities. Supervisor Caldwell said the Armory might help move along the Star Landing

interchange. She stated the City of Southaven and City of Horn Lake have expressed interest in talking about cutting Pepperchase through to help with commerce.

14. Human Resources – Open Enrollment Report

Human Resources Director Carla Crockett reported that 33% of the DeSoto County employee population turned out for open enrollment and that everyone received a 2019 benefits package as well as RX&Go information. She presented the following participation numbers:

- 222 out of 669 employees came:
 - Monday, Admin Building: 47
 - Tuesday, Sheriff's Dept: 58
 - Wednesday, Justice Court/Tax Collector & Admin Building: 36
 - Thursday, Road Dept: 57
 - Friday until noon, Admin Building - 24

15. Corps of Engineers – Flood Study Update

Supervisor Caldwell stated she, Supervisor Gardner, Mrs. Lynchard, Tracy Huffman and people from 4 other states had a web conference on Thursday that was very informative. She stated DeSoto County's problem is not that we are building in the flood plain, but we are covering up all the pervious areas. She stated they are looking for ways to move water or retain water. Supervisor Caldwell stated the County needs to get the 2 hydrology studies from Olive Branch to the Corps and report the area at Star Landing & Swinnea. She said the Corps has some alternative to look at to fix some problem areas.

16. Circuit Clerk's Office Furniture Purchase

Facilities Manager Robert Jarman reminded the Board that he put \$10,000 in his budget for the Circuit Clerk's office furniture. He stated Mrs. McNeil in the Procurement Department has been very thorough about getting quotes and the lowest quote is \$11,900. Mr. Jarman stated Mrs. Thompson is buying all the furniture on one end and the County is buying the furniture for the other end. He stated he has \$5,000 left in the budget from the renovations in her office and he requested to move \$2,000 from line 540 to line 919 to cover the furniture purchase.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to authorize the moving of \$2,000 from line 540 to line 919 in the Facilities budget to cover the extra cost of the Circuit Clerk's furniture.

The motion passed by a vote as follows:

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

See Exhibit I.16.

17. Appeal Results

Board Attorney Tony Nowak gave the Court of Appeals ruling on the Standard Construction litigation. Mr. Nowak explained the legal options for the Board to consider.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to authorize the firm of Smith, Phillips, Mitchell, Scott & Nowak to further research options and file any motions or appeals necessary.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>RECUSED</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

J. EXECUTIVE

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

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to recess the Board meeting until Monday, January 28, 2019 at 2:00 p.m.

The motion passed by a vote as follows:

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

THIS the 4th day of February, 2019, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Lee Caldwell, President
DeSoto County Board of Supervisors