

**DESOTO COUNTY BOARD OF SUPERVISORS**  
**BOARD MEETING MINUTES**  
**DISTRICT TWO SUPERVISOR MARK GARDNER, PRESIDING**  
**February 08, 2021**

**A. CALL TO ORDER**

The February 08, 2021 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Mark Gardner, Board President.

Sheriff Bill Rasco opened the DeSoto County Board of Supervisors meeting in a regular session to hear all business before the Board of Supervisors. The following officials were present:

Supervisor Jessie Medlin	District 1
Supervisor Mark Gardner	District 2
Supervisor Ray Denison	District 3
Supervisor Lee Caldwell	District 4
Supervisor Michael Lee	District 5
Sheriff Bill Rasco	Sheriff's Department
Misty Heffner	Chancery Clerk
Vanessa Lynchard	County Administrator
Tony Nowak	Board Attorney

**B. INVOCATION**

Supervisor Mark Gardner offered the invocation.

**C. PLEDGE OF ALLEGIANCE**

**D. APPROVAL OF AGENDA: ADDITIONS & DELETIONS**

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

**1. Road Manager Robert Jarman requested to add the following:**

- a. Consideration for Executive Session – Personnel Discussion (Executive, J.I.c.)

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee 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**

Supervisor Gardner asked if there was anyone present to speak to the Board on an item not listed on the agenda. No one came forward.

**F. CONSENT AGENDA**

**G. OLD BUSINESS**

**1. Lights at Armory Parking Lot**

Supervisor Caldwell stated she reached out to Mr. Don Arnold at Entergy and asked about waiving the 5-year contract. She said that Entergy cannot do that, but they are willing to work with the County in the future with the Star Landing site's needs.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to move forward and sign the Lease Costs Estimate from Entergy for lights on the Armory parking lot.

The motion passed by a vote as follows:

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

**See Exhibit G.1.**

## **H. NEW BUSINESS**

### **1. Flood Study Report**

- a. City of Southaven Area**
- b. Overall County Report**

Mayor Darren Musselwhite and Mr. Dan Cordell, City Planner were present for the discussion as well as Elizabeth Burks from the Corps of Engineers and a team from the Corps on the phone. Ms. Burks stated there are two components of the study: flood control & ecosystem restoration. She noted that they look at the federal interest or what provides benefits to the nation. She stated they are at 10% on the design at this point and want to be sure they are on the right path. She noted that right now is not the decision on funding; just on the right alternatives. She stated at about 35% design completion the Board will decide whether to move forward and ask for funds for construction. Ms. Burks stated the map produced by the County's GIS department represented flooded areas with dots and pointed out some areas of concentration in Horn Lake and Southaven. She stated the Corps began focusing on those hot spots and began looking at flood control where massive flooding affects multiple homes and businesses. She stated Supervisor Caldwell asked them to look at flooding throughout the County. Ms. Burks stated they see creeks degrading, erosion, sediments deposited downstream, and channel widening; which brings in roadway culverts and velocity that makes erosion and sediment downstream. She noted the channel degradation causes flooding, and that is what the federal level is concerned about. Ms. Burks stated the Corps will promote ecosystem restoration that will address the identified areas throughout the County.

#### **Flood Control: Focus on Horn Lake and Southaven, Bullfrog Corner area**

- Two things on table for structural solutions:
  - **Channel enlargement** of Horn Lake Creek from Hwy 51 to railroad
  - Widen to 40-ft bottom and slope 1 to 3
  - Scour protection (will refine design & thoroughly address concerns there)
  - Detention basins at Rocky Creek, Plum Point (Lateral D), & Cowpen Creek
  - **Elevate homes** 2 to 3 feet that are being flooded
  - Cannot raise commercial, but can flood-proof with knee walls & flood gates
- 142 properties in this area with 24-year event
- Stand alone solution
- Horn Lake – Ashbriar, Bullfrog Corner
- Southaven – Dorchester, Karrie Lane, North of Rasco, Plum Point & West of Elmore
- Options –
  - 1A – 3 detention basins,
  - 1B – detention basins & elevating remaining homes
  - 7A – 3 detention basins & channel enlargement
  - 5A – channel enlargement
  - 5B – channel enlargement and elevating homes
  - 6A – channel enlargement & Lateral D detention
  - 6B – channel enlargement & Lateral D detention, & elevating homes
  - 24 – channel enlargement and Cow Pen detention

- 25 – channel enlargement and Rocky Creek detention
- 26 – channel enlargement, Cow Pen detention & Lateral D detention
- 7A - channel enlargement, Cow Pen detention, Lateral D detention and Rocky Creek detention
- 4A – 25 year nonstructural aggregation
- 6B is the Federal preferred plan
- Look at cost and benefit and apply benefit/cost ratio

Ms. Burks stated the federal interest perspective that gives the most benefits is 6B where the investment to return ratio is 1.84. She stated that this plan would provide for channel enlargement, detention at Lateral D and 25-year flooding structures raised. She stated this would reduce flooding and help with Elmore Road while the detention would help with flooding in Plum Point; but there would still be flooding at Ashbriar, Karrie Lane, and north of Rasco.

Mrs. Lynchard noted that the Board would not have to choose the preferred plan. She stated the total cost is significant. Ms. Burks agreed and stated that with the preferred plan or a plan that costs the same or less, will be a 65 federal/35 local cost share. She stated if the Board selected a plan more than \$49 million, the County would pay the difference above the \$49 million for the cost of the plan.

Supervisor Gardner stated this is just a study, and the Board will look later at a possible cost share with the cities. He stated that flooding can cause different routes for ambulance and fire putting life and limb on the line.

Supervisor Caldwell said the Board has been bringing information to the Corps for a year and a half. She stated they will be following up with Southaven in the next few days to see what would be best for them.

Mayor Musslewhite stated he appreciated the work that has been done. He said he was amazed that what the Corps and Board are talking about is on Southaven's improvement plan. He stated they did work at Lateral D and replaced a bridge that helped with the flooding. He said this plan is spot on with what Southaven's needs are. Mr. Cordell stated they are currently going through a FEMA revision that eliminates houses from Areas 8 & 9 from the 100-year flood. He stated Tanger widened the channel to be sure there was a negative impact and the intent was to eliminate those houses from 8 & 9. Ms. Burks said she will check on that and stated that is why it so important for everyone to coordinate and share information.

Supervisor Denison asked what happens at Cowpen below the channel enlargement. Ms. Burks said Cowpen enters Horn Lake Creek below the enlargement. She said that will slow down the water and reduce flooding. She said the Corps will find a way to reduce flooding in the Cowpen area, but the detention area right now is not part of the federal interest plan. She said Mayor Latimer said he sees additional backup that was not captured in the models and he is concerned about some clogs roughly 7 miles downstream. She said the Corps will come back on February 26<sup>th</sup> and ask the Board if they agree with the green line (Plan 6B). She stated if FEMA maps are being updated, it might open an opportunity for looking at other areas. Ms. Burks stated they have also talked about maintenance moving forward to be clear and free of debris. She said the plan needs to have an ongoing maintenance plan that goes all the way to the river.

Supervisor Caldwell said there will be a need to educate the citizens and drainage districts regarding maintenance. Mrs. Lynchard asked if those costs were included in the projection. Ms. Burks said annualized O&MRRR cost is \$377,000 and at the end they will have an operations maintenance plan.

Supervisor Medlin said, speaking of maintenance, he understood that Byhalia Creek was dredged by the Corps of Engineers years ago. He stated a lot of water out of Marshall County comes into that creek. He stated there is a school being built out there and the creek is full of sand. He asked if the Corps could come back and dredge that. Ms. Burks stated that is more than likely connected to the Arkabutla project and was dredged under that project. She said she would look into it and see if that project can handle the dredging.

### **Ecosystem Restoration**

- Have to look at independently, but they go hand in hand

- Will slow down the water & help with the continual erosion downstream
- 3 teams were deployed throughout the County to walk the streams & collect info
- Cowpen, Rocky Creek, Lateral D, & Coldwater appear to be stable, although filled in with a lot of sediment
- Asked Vicksburg to go in there and determine flooding – want to remove sediment once and be sure it is a completed project
- Want to decrease channel slopes, stabilize banks & have natural slopes for stability
- Want to improve beds of streams, right now a lot of instability
- Will stabilize head cutting, improve water quality and reduce sediment for aquatic habitat to improve
- Grade control structure – low drop structures, low water weirs will be introduced to slow water and help with aquatic habitat – also will help with overland flow and stormwater runoff
- Riparian buffer strips – roots stabilize bankline and slows down stormwater
- Bank Stabilization- rock toe stabilization prevents sediment from going into stream, allows vegetation to grow up on soil and roots prevent further erosion
- In a bend - stone toe, and stone up banks allows vegetation on banks and tree line to help to root-in the bank and provide for habitat

**Recommend in Area 5 –**

- New grade control structures, low water weirs or some in place
- Trying to prevent irregularities
- Rehab of nine existing grade control studies & bank stabilization

Supervisor Caldwell asked if Ms. Burks found out if planting trees in the floodway was permissible. Ms. Burks said they did talk about planting hardwoods. A team member on the phone said it is possible to do that, but would depend on the specific area and they would need to access the sight. Ms. Burks said that access could be a roadway that holds the grade stability, or any sort of grade control structures that will need to have maintenance. She also noted culverts under roads need to be maintained.

Mr. Cordell stated Southaven is doing some maintenance on Greenbrook because it is causing some downstream erosion. He also noted a situation at St John’s Creek through Summerwood that is very similar to Northcreek. He said it will take some cooperation on the Tennessee side. He asked if this study involved what has to happen in Tennessee as well. Ms. Burks said St. Johns Creek is in the Nonconnah Basin. She stated the study is for DeSoto County and some things are recommended at the state line. She also stated the study does not see state lines, just the basin. Mr. Cordell asked if the benefits at North Creek would be nullified by what happens on the TN side. Ms. Burks stated the study will be sure that does not happen. She stated they will get everyone in the same room to be sure everyone understand their responsibilities. She said Nonconnah is a different story as DeSoto has the headwaters moving into the State of TN.

Ms. Burks stated the Corps is suggesting 14 grade-control structures; 5 new and 9 rehabs to stabilize 16,700 feet of bankline. She stated that would prevent about six to eight million cubic yards of sediment. She stated reforestation is optimum with grade control at 17 acres, a football field on either side, and about 64 acres of reforestation. She noted the federal preferred ecosystem restoration plan is \$29 million, with the locally preferred plan at \$21 million. Supervisor Gardner stated is was not practical to go 100 yards beyond the ditch bank, so they went with 25 yards.

Supervisor Medlin asked if that price included right of way. Ms. Burks affirmed. Supervisor Gardner stated that in-kind work could be part of the local match as well. Supervisor Medlin asked if all this was stabilization with no dredging. Ms. Burks affirmed. She stated the Board can look at the federal preferred plan or locally preferred plan. She stated if they go with the local plan, they will have to go to a higher level and have additional discussion.

Ms. Burks stated on February 26, 2021 when they talk with headquarters staff, they will ask if the county is in agreement to move forward with this plan. She stated ecosystem restoration and flooding are separate plans.

**See Exhibit H.1.**

**2. Insurance Committee Recommendations**

**a. NCD (New Case Document) Clarifications**

Supervisor Medlin stated when Meritain looked at the County’s insurance plan from Humana they found some things that were not clear or were contradictory and recommended the changes as outlined in Exhibit H.2.a. He stated the Insurance Committee met and they recommend the changes.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to approve the changes to the wording of the insurance plan as presented.

The motion passed by a vote as follows:

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

**See Exhibit H.2.a.**

**b. Benefits Discussion - Bariatrics**

Mrs. Crockett stated she asked Lipscomb & Pitts to get stop loss data and see if Aetna would add a laser to an employee that had bariatric surgery. She stated they are currently working on getting that data.

Supervisor Medlin stated there was a long list of qualifiers that an insured employee would have to meet if the Board adopted covering bariatric surgery. He also informed the Board that the committee asked if only those employees that qualified for the surgery would be lasered or if it would affect everybody. He stated Lipscomb & Pitts is also checking on that.

Supervisor Medlin made the motion and Supervisor Lee Caldwell seconded the motion to take the matter of insurance coverage for bariatric surgery under advisement.

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. Facilities Committee**

**a. Report from Committee**

Supervisor Gardner stated they are going to look at a building to house the Tax Collector’s office this afternoon. He stated when Justice Court moves to Hernando; the County will not need the large building in Southaven and they are starting to look at alternatives.

Supervisor Lee said he was not opposed to selling that 17,000 square foot building and using that money toward the new building.

Supervisor Gardner stated another thought might be to think of Heartland Hands using the facility as they are currently looking to relocate.

Supervisor Medlin stated that is also a voting precinct and the Election Commission needed to be notified to look for a new location.

No Board action was required.

**b. Approval to Acquire Appraisal**

Supervisor Gardner stated the committee also recommends authorizing the Board Attorney to get an appraisal on the building so that will be in place.

Supervisor Michael Lee made the motion and Supervisor Mark Gardner seconded the motion to authorize the firm of Smith, Phillips, Mitchell, Scott & Nowak to get an appraisal for the current Justice Court facility in Southaven.

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 Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to recess the Board meeting until Tuesday, February 16, 2021 at 9:00 a.m.

The motion passed by a vote as follows:

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

THIS the 1st day of March, 2021, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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Mark Gardner, President  
DeSoto County Board of Supervisors