

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

**DISTRICT TWO SUPERVISOR MARK GARDNER, Presiding**

**March 5, 2018**

**A. CALL TO ORDER**

The March 5, 2018 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Mark Gardner, Board President.

Sheriff Bill Rasco was present and 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
Misty Heffner	Chancery Clerk
Vanessa Lynchard	County Administrator
Tony Nowak	Board Attorney

**B. INVOCATION**

Director of Parks and Environmental Services Ray Laughter presented the invocation.

**C. PLEDGE OF ALLEGIANCE**

**D. APPROVAL OF FEBRUARY MINUTES**

Supervisor Gardner asked if everyone had read over the February minutes.

Supervisor Medlin noted that he was absent at the February 26, 2018 meeting.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to accept the minutes of the Board of Supervisors for February, 2018, as presented this date with the correction to Supervisor Medlin’s attendance on February 26th; pursuant to Section 19-3-27 of the Mississippi Code of 1972, annotated.

The motion passed by a vote as follows:

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

**E. CITIZEN REMARKS & PRESENTATIONS**

**1. Susan Ferguson – Request to Remove Tree from Ditch behind 8633 Turkey Creek Drive**

Mrs. Ferguson noted the area behind her home is not a ditch; it is a creek with running water. She requested the County remove the debris and a large fallen tree from the creek. Mrs. Ferguson stated they moved in this house in 2010 and built their fence 94 feet from their patio and their property goes

to 141 feet from their patio. She noted from the pictures in the exhibit that the creek has now eroded past their fence into their backyard.

Supervisor Medlin asked if he understood correctly and her yard had eroded some 30 plus feet since 2010. Mrs. Ferguson affirmed. She stated people are dumping paint and construction materials in the creek as well.

Supervisor Russell asked if there was an active HOA in the subdivision. Mrs. Ferguson said there is not.

Board Attorney Tony Nowak stated the Board had limitations as to work it can perform on private property. He stated the threat of harm must be to a public road and public safety, not just one person. He stated her recourse would be through NRCS and their acceptance of an EWP project. Mr. Nowak stated if the creek is within a drainage district, they would have the responsibility of cleaning it. Mr. Nowak stated the County does not have the authority to clean ditches and creeks if there is no risk to public health, or potential harm to County owned or maintained property.

Supervisor Caldwell told Mrs. Ferguson she could empathize with her as she has a creek running through her own property. She stated they also get debris from upstream, and have to keep the banks stabilized and keep the creek clean.

Supervisor Lee suggested Mr. Scott Young contact NRCS and see if they can help in this situation. Supervisor Medlin said it looks like the creek is making a turn. Mr. Young affirmed and said the tree that sloughed off took a good chunk of the bank. Mr. Young also stated there is a drainage easement on the subdivision plat, so he is surprised there is no HOA set up. Mr. Young said the EWP program has criteria that the erosion must affect a house, street, or utility. He said he will talk to them and see what the findings were.

Supervisor Gardner suggested Mrs. Ferguson get with some of her neighbors and see about forming an HOA. Mr. Young also suggested checking with the Corps of Engineers and said he would look into that as well.

Supervisor Russell asked Mr. Young to check on the drainage district and HOA also.

**See Exhibit E.1.**

## **F. APPROVAL OF AGENDA: ADDITIONS & DELETIONS**

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

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

- a. Town of Walls Support (Old, H.5.)
- b. Circuit Clerk Excess Fees (New, I.11.)
- c. Humana New Case Document (New, I.12.)
- d. Legislative Update (New, I.13.a., I.13.b., I.13.c.)

### **2. Mrs. Lynchard requested to consider the following for Executive Session:**

- a. Industrial Development – Economic Council (K.3.)

### **3. Mrs. Lynchard requested to delete the following items:**

- a. Fire/EMA Committee – Eudora VFD Generator (New, I.4.)

### **4. Board Attorney Tony Nowak requested to add the following items:**

- a. Abandoned Property – 2003 Ford Mustang – (Old, H.6.)
- b. Delta State Affiliation with Sheriff's Department – (Old, H.7.)
- c. Ingrams Mill School – (Old, H.8.)

### **5. Mr. Nowak requested to consider the following items for Executive Session:**

- a. Land Acquisition – Craft & Bethel – Williams (Executive, K.4.)

### **6. Supervisor Lee Caldwell requested to add the following items:**

- a. Legislative Update – SB1122 (New, I.13.d.)



	Fund/Department #	160 / 364				Updated 7/15
(2)	Nail Road - Hacks Cross - Center Hill					
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
160-364-914	Property Easements / ROW	\$ 5,906.79	\$ 5,907	\$ 860		\$ 6,767
160-399-914	Property Easements / ROW	\$ -	\$ 32,167		\$ 860	\$ 31,307
	<b>TOTALS</b>		\$ 38,074	\$ 860	\$ 860	\$ 38,074
Reason for Request: (Show detailed)	Amend line item to account for property easements and right of way to be paid for out of correct project line item.					
	Fund/Department #	160 / 377				Updated 7/15
(3)	Craft at Bethel Rd Widening					
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
160-377-914	Property Easements / ROW	\$ 21,968.08	\$ 22,166	\$ 550		\$ 22,716
160-399-914	Property Easements / ROW	\$ -	\$ 31,307		\$ 550	\$ 30,757
	<b>TOTALS</b>		\$ 53,473	\$ 550	\$ 550	\$ 53,473
Reason for Request: (Show detailed)	Amend line item to account for property easements and right of way to be paid for out of correct project line item.					
	Fund/Department #	380 / 152				
(4)	New Software Project					
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
380-152-550	Legal Fees	\$ 1,065.00	\$ 1,100	\$ 500		\$ 1,600
380-152-559	Other Prof Fees & Services	\$ -	\$ 1,985,300		\$ 500	\$ 1,984,800
	<b>TOTALS</b>		\$ 1,986,400	\$ 500	\$ 500	\$ 1,986,400
Reason for Request: (Show detailed)	To allocate funds to correct project line item.					
	Fund/Department #	105 / 391				
(5)	Rubbish Pit Space Utilization Project					
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
105-391-550	Legal Fees	\$ -	\$ -	\$ 1,000		\$ 1,000
105-391-594	Other Contractual Services	\$ -	\$ -	\$ 111,000		\$ 111,000
105-391-909	Other Improvements over 25000	\$ -	\$ -	\$ 100,000		\$ 100,000
105-999-999	Ending Cash	\$ -	\$ 1,963,408		\$ 212,000	\$ 1,751,408
	<b>TOTALS</b>		\$ 1,963,408	\$ 212,000	\$ 212,000	\$ 1,963,408
Reason for Request: (Show detailed)	To allocate funds to Board approved rubbish pit air space utilization project.					
	Fund/Department #	001 / 154				
(6)	Veteran Service Office					
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
001-154-439	Other Service Employees	\$ 4,618.50	\$ 20,686	\$ 1,200		\$ 21,886
001-154-465	State Retirement	\$ 94.50	\$ -	\$ 189		\$ 189
001-154-466	Social Security Matching	\$ 353.33	\$ 1,582	\$ 92		\$ 1,674
001-999-999	Ending Cash	\$ -	\$ 34,467,176		\$ 1,481	\$ 34,465,695
	<b>TOTALS</b>		\$ 34,489,444	\$ 1,481	\$ 1,481	\$ 34,489,444
Reason for Request: (Show detailed)	To allocate funds for Board approved training for new VSO.					
	Fund/Department #	001 / 901				
(7)	General County - Other					
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
001-901-915	Vehicles - Above \$5,000	\$ -	\$ -	\$ 24,095		\$ 24,095
001-999-999	Ending Cash	\$ -	\$ 34,465,695		\$ 24,095	\$ 34,441,600
	<b>TOTALS</b>		\$ 34,465,695	\$ 24,095	\$ 24,095	\$ 34,465,695
Reason for Request: (Show detailed)	To account for HLCISD interlocal agreement to purchase vehicle. This will be reimbursed to the County.					
	Fund/Department #	001 / 202				
(8)	Patrol Law Enforcement / Insurance					
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
	<b>REVENUE</b>					
001-000-376	Insurance Proceeds	\$ 51,393.28	\$ 51,374	\$ 11,856		\$ 63,230
	<b>EXPENSE</b>					
001-202-915	Vehicles - Above \$5,000	\$ 349,115.00	\$ 403,951	\$ 11,856		\$ 415,807
	<b>TOTALS</b>			<b>OVERALL INCREASE</b>	<b>\$11,856.00</b>	
Reason for Request: (Show detailed justification)	Increase revenue and increase expense to account for total loss of 2015 Ford Taurus and allow for department to order new Taurus and apply these funds towards that vehicle.					

		Fund/Department #	156 / 300			
(9)	Road Management					
ACCT #	LINE ITEM	YEAR TO DATE	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
<b>REVENUE</b>						
156-000-376	Insurance Proceeds	\$ 10,861.77	\$ 10,862	\$ 4,773		\$ 15,635
<b>EXPENSE</b>						
156-300-541	Road Mach & Equip - Repairs/Maint	\$ 57,716.98	\$ 170,862	\$ 4,773		\$ 175,635
<b>TOTALS</b>		<b>OVERALL INCREASE</b>		<b>\$4,773.00</b>		
Reason for Request: (Show detailed justification)		Increase revenue and increase expenses to account for insurance proceeds collected due to damage to 2018 Ford F-150 and funds owed to vendor to repair vehicle.				

**b. Final Inventory Dispositions – IT**

FISCAL YEAR: **2018**

PRELIMINARY /

**FINAL**

INVENTORY DISPOSITION

DEPT NAME: IT Department

DEPT #: 152

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y	C	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION	DATE OF FINAL APPROVAL
36521	LEXMARK T630 PRINTER	992FC17	will not print	05	1908	IT Closet	8-5-18	PH	Eureka	
41511	DELL OPTIPLEX 745	F2205D1	will not power on	11	375					
42213	DELL OPTIPLEX	C3DJVC1	blown caps	12	175					
42721	DELL OPTIPLEX	60XL4D1	bad motherboard	12	160					
43470	DELL 745 OPTIPLEX	SHDXXB1	bad connection port	13	170					
43509	HP LASER JET PRO	VNG4ID4347	will not pickup paper	14	250					
46210	IPHONE 5S	DX3C851QFFDQ	would not receive calls or text	16	449					

AUTHORIZATION TO DISPOSE				INVENTORY CLERK INFORMATION		NOTES
SIGNED BY:	<u>Jalicia Hopper</u>	DATE:	<u>01/23/18</u>	PRESENTED TO BCS	<u>2-5-18</u>	
PRINT NAME:	<u>Felicia Hopper</u>			PRESENTED TO BCS	<u>3-5-18</u>	
DISPOSED BY:	<u>Jalicia Hopper</u>	DATE:	<u>2/26/18</u>	DATE INVENTORY DISPOSED IN AS400		
PRINT NAME:	<u>Felicia Hopper</u>			DATE BCS FINAL MINS ATTACHED		
INV CLERK:	<u>Angie Tapley</u>	DATE:	<u>1/24/18</u>			

**c. Lost Property Affidavit – Court Printer**

**PROPERTY MANAGEMENT ACCOUNTABILITY DISPOSITION REPORT**

Desoto County Board of Supervisors

SECTION I: Disposition Type (Check One)  Sale  Trade-In  Write Off (Salvage)

Program: OCY - AOP County: Desoto Date: 2/20/18

Accounting Cost: 36799 Subgrant/Contract #: 464 W241

SECTION II: Equipment Data

Asset Inventory # (1)	Equip. Description (2)	Location (3)	Reason for Disposal (4)	Method of Disposal (5)
<u>794-5607910</u>	<u>Printer</u>	<u>Unknown</u>	<u>unknown</u>	<u>Unknown</u>

SECTION III: Certification (Check One)

After extensive research there is no record of this property. Upon physical inspection of the equipment item(s) described above, I find the condition to be irreparable and of no salvageable value, therefore I recommend the disposal of this equipment in the most expeditious manner. Due to the age of the printer, there may be no value.

Equipment has become lost, stolen, or has mysteriously disappeared. Lost or Stolen Property Affidavit and Police/Sheriff's Investigation Report is attached.

County Director/Supervisor Signature: Angie Tapley Date: 2/28/18

Subgrantee Official: \_\_\_\_\_ Date: \_\_\_\_\_

**LOST OR STOLEN PROPERTY AFFIDAVIT**

**DESOTO COUNTY  
365 LOSHER STREET  
HERNANDO, MS 38632**

Date: 2/28/18

Location of Property: **LOST**

Inventory Number	Description	Serial Number	Year Acquired	Cost or Purchased	Value
994-SGD7910	HP printer	MVYMK60DT	4/7/2003	367.99	- 0 -

Detailed Explanation of Loss: (In case of theft, robbery or mysterious disappearance, show the name of the Sheriff's Office notified and the date the loss was discovered. If such loss was not reported to a Sheriff's Office at the time of the discovery, give a complete explanation of such failure.)

After extensively researching the state's information on this printer, we are unable to find any records about it. We spoke with our former Grants Administrator and she remembers there being a printer at the AOP office but we have no record of it. at the end of the grant, the office being rented at the time was cleaned out most likely by our Facilities department. unfortunately none of the employees here during that time are still employed with the county. Due to the age of this printer, it would have little if any value.

**WE HEREBY STATE UNDER OATH THAT THE ABOVE FACTS ARE TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE.**

Board President \_\_\_\_\_ Date \_\_\_\_\_  
*Augusta Japley*  
 Inventory Control Clerk \_\_\_\_\_ Date \_\_\_\_\_  
 Employee Responsible for Property \_\_\_\_\_ Date \_\_\_\_\_

**THIS DATE PERSONALLY APPEARED BEFORE ME,** the undersigned authority, in and for \_\_\_\_\_ County, in the State of Mississippi, the above named individuals, who, being first duly sworn, state on their oaths that the above facts are true and correct to the best of their knowledge.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

- 3. Road Department**
  - a. Monthly Road Report
  - b. February Work Schedule
  - c. Road Bond Report
- 4. Contract Administration – Establish as Part of the formal Record and Enter Into the Board Minutes – All Signatures Achieved**
  - a. Sheriff's Department – Cummins Maintenance Agreement
  - b. Insurance – RX 'n Go
  - c. EMA – Agreement for Purchase of Fire Rescue Truck from MS Forestry Commission
  - d. State Aid – Hwy 304/Red Banks/Byhalia Rd – STP-1963-00(001) LPA/107217-701000
  - e. Insurance – Workman's Comp Client Authorization Agreement
- 5. Contract Administration – Auto Renewals**
  - a. Circuit Clerk – Municipal Services Bureau/Pioneer Credit
  - b. Adult Drug Court - Adapts
- 6. Office of Procurement**
  - a. Request to Approve Bid Specs and Solicit Bids for DeSoto County Hot Mix Asphalt Overlay on Various Roads – Bid File #18-300-017
  - b. Request to Approve Bid Specs and Solicit Bids for Cell Construction at County Rubbish Facility – Bid File #18-341-002
- 7. Justice Court – Change in Special Prosecutor/Feb.21 to Matthew Barton – Authorize Clerk to Write Check**
- 8. Policy for Procedures for Reverse Auctions**
- 9. EMA – Tuition Reimbursement – Josh Harper**

**10. Establish as Part of the Formal Record and Enter Into the Board Minutes – Certificate of the 2017 Assessment Rolls**

**11. FY18 Bridge Inspection Summary**

**12. Justice Court Monthly Report**

**February 2018**

Criminal Cases Filed	185
Civil Cases Filed	958
Traffic Tickets Filed	866
Total Cases Filed	2,009
State Assessments	\$80,942.29
County General Fund	\$134,625.72
DPS	\$1,750.00
Total Collections	\$217,318.01

Submitted by Pat Sanford  
Date 28-Feb-18

**13. Chancery Clerk Allowance**

**14. Tax Assessor – Corrections for 2016 & 2017 Land Roll**

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the actions and matters as set forth 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 G.**

**Discussion after vote:**

Supervisor Medlin asked if Mr. Harper’s tuition could be paid from the Homeland Security Grant. Mrs. Lynchard stated the course is toward Mr. Harper’s degree and the grant does not pay for college credits.

**H. OLD BUSINESS**

**1. Board Attorney – MOU Between MS Office of State Public Defender and DeSoto County for Parent Attorney**

Mr. Nowak stated the State provides \$35,000 per year for a full-time Youth Court attorney. He stated this attorney has been on the job for a while and steps in to handle other things related to Youth Court. Mr. Nowak stated the County’s obligation is contingent on the money coming from the State.

Supervisor Caldwell asked if the agreement was for the rest of this year. Mr. Nowak stated this one will run through June 30, 2018 and renew at that time unless the funds are not available from the State. Mrs. Lynchard said the State pays the full amount for 6 months and the County picks it up after that.

Supervisor Caldwell asked when the County would find out if the State approved this. Mr. Nowak said probably not until the State approved their budget. Supervisor Caldwell stated one of the reasons she supported the decision to pay this salary for the rest of the year was that there was an understanding the money would be available.

Supervisor Medlin asked if the attorney position was the same as the County had previously with the Casey Foundation. Mr. Nowak affirmed.

Supervisor Caldwell said the Board approved this position for indigent parents, but the attorney is doing other things. Mr. Nowak stated she was given more duties when she was first hired to justify her being there full time.

Supervisor Medlin asked if the County would have to come up with more money this year. Mrs. Lynchard said the confusion seemed to come when Judge Wilson said the Casey Foundation would pay for half the salary, and at the end of the year, it was determined they would only pay \$35,000. Mrs. Lynchard stated they looked at hiring an attorney on a case by case basis, and it looked like it would cost more. She said right now the County gives their half October through December and July through September; and the State pays January to June. Mrs. Lynchard stated the total cost to the County is \$42,000 or \$47,000.

Supervisor Gardner asked what other costs were involved besides salary. Mrs. Richmann stated there is an office allowance. Mr. Nowak stated the agreement is somewhat ambiguous, as it says the State will pay \$2,916 per month, for twelve months, but the agreement has an initial term of 6 months. However, the State would not change it.

Supervisor Caldwell said she would like to know how many cases are handled and get a good understanding of the job being done.

Supervisor Medlin stated Youth Court was getting by before the parent attorney was hired and he wondered how much research was done to determine if parents were indigent. Mr. Nowak said they have a table to go by or the judge can determine it.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to table this matter to get more information.

The motion passed by a vote as follows:

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

**See Exhibit H.1.**

## **2. Hernando Library Recycle Container Update**

Environmental Services Director Ray Laughter stated he met with Roland Joyner, Regional Vice-President at Waste Pro, and things have gotten better. He said they agreed to leave the recycle container at the library at no charge. He also informed the Board that they have had problems with their electronic payments, but they have them fixed now. He also stated they have the problem of the unmarked envelopes solved.

Supervisor Lee stated Environmental Services is doing a good job. Mr. Laughter stated he has a very good team.

## **3. DeSoto Parks and Greenways**



**a. Johnson Creek Greenway**

**1) Update**

Mr. Tracy Huffman presented drawings of the Phase I (Segments 1 & 2) Baldwin Road to approximately 1.8 miles west section that includes 3 bridges that will be a part of the Greenway. He stated most of the section at grade will be along the existing trail, and in low water crossings they will divert the trail and have a ped/bike bridge. He stated horseback riding is a permissible use according to the easement agreements on the Greenway easement and the County may want to designate areas parallel to the Greenway and through the low water crossings for horses.

Supervisor Lee asked if the money was available to do the Greenway project. Mr. Laughter stated they do not have the money for the maximum amount currently estimated, but would need \$100,000 from Parks Ending Cash. He said this will be offset from the \$492,000 that will be coming back from the MPO for the project. Mr. Laughter stated the reason for the bridges is the Greenway has to be built to Federal Highway Standards.

Supervisor Russell stated the paving stopped where it did because the Federal funds played out.

**See Exhibit H.3.a.1.**

**2) Budget Amendment**

Mr. Huffman stated they were asking for a budget amendment to transfer the funds for the 2<sup>nd</sup> segment of the Phase I project. Mr. Laughter asked the Board to approve a budget amendment of \$100,000 from Parks Ending Cash.

Supervisor Bill Russell made the motion and Supervisor Michael Lee seconded the motion to authorize the work presented and approve the \$100,000 budget amendment from Parks Ending Cash.

The motion passed by a vote as follows:

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

**See Exhibit H.3.a.2.**

**Addendum:**

**3) Johnson Creek Greenway Future Development**

Supervisor Russell stated Mr. Huffman also had a master plan of the future development of Johnson Creek Greenway. Mr. Huffman stated \$2 million to \$2.5 million is needed for the full 3 miles for the orange section on the map. He stated the committee discussed the green, yellow sections close to Highway 301. He stated the land on the green and yellow sections are deeded to the North Mississippi Land Trust and the County may want to have it transferred to DeSoto County. Mr. Huffman stated the County would need to confirm what the easements include and have a title search and transfer completed for the green and yellow sections.

Supervisor Bill Russell made the motion and Supervisor Michael Lee seconded the motion to authorize the firm of Smith, Phillips, Mitchell, Scott & Nowak take the necessary steps to complete title searches and transfers for the green and yellow sections as noted on Exhibit H.3.a.3.

The motion passed by a vote as follows:

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

Supervisor Russell stated he would like to get the green and yellow sections settled, and then determine a plan of action on the blue section. He stated DCRUA has planned to eventually develop the red section for their effluent force main to the river at some point. He said that once DCRUA gets to a certain capacity, their treated water will go into the river.

Supervisor Medlin stated there was once talk about getting a deed to a land trust around the Coldwater River. Mr. Huffman stated there was talk of a Blueway, but he did not have that information.

**See Exhibit H.3.a.3.**

**b. Lewisburg Park**

- 1) Conceptual Plan**
- 2) Common Open Space**

Mr. Laughter presented a conceptual drawing by Waggoner Engineering. He stated the Greenway goes from Byhalia Road to College Road, running along the sewer easement. He noted the bridge in the drawing would be a long way in the future. Mr. Laughter stated Parks & Greenways had applied for a grant and did not get it. He stated they are getting a price from the Road Department about building the parking lot and walking trail around the park area.

Mrs. Lynchard stated FEMA recently allowed LOMAR to take some property to the south out of the floodway. Mr. Huffman stated you can typically offset that and prove there is no rise.

Mr. Laughter stated he and Mr. Huffman had come up with a plan after meeting with the developer. He said they asked the developer to deed an area to the County that will finish the access to the park. Mr. Nowak stated that the County originally had an MOU with CB&S Bank that showed they would grant an easement into the park, but that road is now showing as a dead end and there is a lake there. Mr. Laughter requested the Board allow Mr. Nowak to work with the developer, Butch Davis, on access and research the original MOU.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to authorize the firm of Smith, Phillips, Mitchell, Scott and Nowak to work with the current developer on gaining access to the proposed park area, to research the original MOU with CB&S Bank, and resolve any easement issues as needed.

The motion passed by a vote as follows:

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

**See Exhibit H.3.b.1. & H.3.b.2.**

**4. Office of Procurement – Reject & Rebid County Bank Depository Bid – Bid File #18-121-003**

Director of Procurement and Administrative Services Pat McLeod stated this was not really a bid per the purchasing laws.

Procurement Coordinator Angie Irving stated the bid was published on February 8<sup>th</sup> and there was some miscommunication with some bank officials that thought their bank did not have to provide a response. Mrs. Irving said there were 6 banks that need to respond. She said the County would be penalized if they withdrew Certificates of Deposit from the banks and she requested to reject and rebid the County Bank Depository.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to authorize the Office of Procurement to reject and rebid the County Bank Depository Bid File #18-121-003.

The motion passed by a vote as follows:

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

See Exhibit H.4.

**5. Town of Walls Support**

Mrs. Lynchard stated the issue came up with the Town of Walls and new incorporations and how the County would support them.

Mr. Nowak stated there were 2 options as there are a number of agreements in place; Animal Control, Dispatch, Roads & Fire with auto renewals. One would be to put the Town of Walls on notice that when the agreements come up for renewal the County will terminate; or two would be to amend the contracts and put a specific ending date on them.

Supervisor Gardner asked Sheriff Rasco if Walls had been paying them for the dispatch services as agreed. Sheriff Rasco said they have not. Supervisor Russell said that needs to be a part of the letter to be sent, that they need to pay the Sheriff’s Department for dispatch services as they agreed.

Supervisor Gardner asked if the County was 1 or 2 years into this 4-year plan. Supervisor Russell said October 2018 will be one year of a 5-year plan.

Mr. Nowak stated the cleanest route would be to put addendums on each of the contracts to establish an ending date.

Supervisor Russell suggested writing a letter to the Town of Walls to let them know what will be happening, and remind them they agreed to pay the Sheriff \$1,000 per month and they need to get current on that; and immediately begin the responsibility of cutting the roadside grass or contract with the County to do so.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to authorize Mr. Nowak to work on the contracts with the Town of Walls and authorize Mrs. Lynchard to draft a letter and the Board President to sign it.

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>

**6. Abandoned Property – 2003 Ford Mustang**

Mr. Nowak stated the notice to sell the property was posted in three public places for 90 days and the notice sent to the last known address of the owner came back returned. He stated he had prepared a Board Order to be posted in three public places that allows for the car to be sold at auction, the money be delivered to the clerk, and then transferred over to the Sheriff’s budget.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to post the Board Order as presented by the Board Attorney, disperse the money as presented, and authorize the Board President to sign the Order.

The motion passed by a vote as follows:

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

Supervisor Michael Lee, Fifth District YES

See Exhibit H.6.

**7. Delta State Affiliation with Sheriff’s Department**

Mr. Nowak stated Delta State University wanted to enter into an agreement with the Sheriff’s Department to send criminal justice students to shadow officers. He stated this agreement is similar to the ones already being used.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to authorize the Board President to sign the agreement with Delta State as presented by Mr. Nowak.

The motion passed by a vote as follows:

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

See Exhibit H.7.

**8. Ingrams Mill School**

Mr. Nowak stated the Board has considered what to do with this property. He stated it is being used for community functions. Mr. Nowak stated the property is owned by an LLC that has not been active for some time. He said he spoke with Mr. McKinney who is a part of that LLC and he indicated that those that are still involved in the LLC are willing to donate the property to the County if the Board wants to make it a park. He stated they will have to get the LLC reorganized to make the donation.

Supervisor Medlin stated he would like to get the property donated as soon as possible and work toward putting in a park as there is a lot of building going on in that area. Supervisor Gardner and Supervisor Caldwell stated they would like to go look at the property.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize the firm of Smith, Phillips, Mitchell, Scott and Nowak to look into the land acquisition.

The motion passed by a vote as follows:

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

**I. NEW BUSINESS**

**1. Environmental Services – Spring Clean-Up Day**

Environmental Services Director Ray Laughter stated they had a Keep DeSoto County Beautiful Committee meeting last week and discussed Spring Clean-Up Day. He said they set April 14<sup>th</sup> as the big clean-up day but they will have the dumpsters out and encourage citizens to clean up the week of April 14 – April 22. Mr. Laughter stated they have received a full pallet of garbage bags from Keep Mississippi Beautiful, so they are ready to go.

Supervisor Gardner stated the Spring Clean-Up and Earth Advertising needed to be on the website and on social media.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to recognize the Spring Clean-Up event and make the flyer a part of the Board minutes.

The motion passed by a vote as follows:

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

See Exhibit I.1.

**2. Office of Finance and Accounting**

**a. Preliminary Inventory Dispositions – IT, Circuit Clerk Reporter, EMA, Circuit Court**

Inventory Clerk Angie Tapley presented the monthly inventory disposition from IT and the other inventory dispositions for items no longer working or non-compatible.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the preliminary inventory dispositions as presented by Mrs. Tapley.

The motion passed by a vote as follows:

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

See Exhibit I.2.a.

FISCAL YEAR: **2018** **PRELIMINARY** **INVENTORY DISPOSITION**

DEPT: 152 NRC = NON REPAIRABLE (COST) K = THOUSANDS DEPT #: \_\_\_\_\_  
 NAME: Information Technology NR = NON REPAIRABLE H = HUNDREDS LOC #: \_\_\_\_\_  
DAS = DECLARE AS SURPLUS D = DOLLARS

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION	DATE OF FINAL APPROVAL
38026	FUJITSU SCANPARTNER	080626	will not feed paper	07	960	IT Closet				
39446	FUJITSU FI6130 SCANNER	003031	will not power on	08	948	IT Closet				
39453	FUJITSU FI6130 SCANNER		bad power port	08	899	IT Closet				
39636	ACER 19 INCH LCD	ETLBS0802382309B1C4230	no display	09	174	IT Closet				
40267	DELL OPTIPLEX 780	CX05HM1	bad motherboard	10	682	IT Closet				
40362	IBM LENOVO DESKTOP PC	15730305UMJ88642	will not boot	10	653	IT Closet				
41507	DELL OPTIPLEX 745	GB0RLD1	will not boot	10	375	IT Closet				
41534	DELL OPTIPLEX	6FV00R1	bad motherboard	11	1075	IT Closet				
41668	DELL OPTIPLEX	7423LC1	bad power adapter	11	386	IT Closet				
41653	DELL OPTIPLEX	3TXLLD1	blown caps	11	295	IT Closet				
41669	DELL OPTIPLEX	2P4TFD1	blown caps	11	295	IT Closet				
42173	DELL OPTIPLEX	68J97C1	bad power adapter	12	250	IT Closet				
42814	APPLE IPHONE 4 8GB	C8TJFKVWDP0V	end of life	13	450	IT Closet				
43132	APPLE IPHONE 4	C8TK96GSDP0V	end of life	13	470	IT Closet				
43139	APPLE IPHONE 4	C8TK92N9DP0V	end of life	13	470	IT Closet				
43193	APPLE IPHONE 4	C8TK9EYDP0V	end of life	13	470	IT Closet				
43197	APPLE IPHONE 4	C8TK92PCDP0V	end of life	13	470	IT Closet				
43481	DELL OPTIPLEX	DYL6CC1	blown caps	13	170	IT Closet				
43482	DELL OPTIPLEX	GSDSYC1	will not boot	13	170	IT Closet				
43916	DELL OPTIPLEX	6SF54D1	bad motherboard	14	170	IT Closet				

  

AUTHORIZATION TO DISPOSE SIGNED BY: <u>Felicia Hopper</u> DATE: <u>02/26/18</u> PRINT NAME: Felicia Hopper DISPOSED BY: _____ DATE: _____ PRINT NAME: _____ INV CLERK: <u>Angie Tapley</u> DATE: <u>2/26/18</u> Angie Tapley		INVENTORY CLERK INFORMATION PRELIMINARY PRESENT TO SOB: <u>March 5, 2018</u> FINAL PRESENT TO SOB: _____ DATE INVENTORY DISPOSED IN AS400: _____ DATE SOB FINAL MMS ATTACHED: _____	NOTES
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FISCAL YEAR: 2018

PRELIMINARY

INVENTORY DISPOSITION

2 OF

DEPT NAME: Information Technology 152 NRC = NON REPAIRABLE (COST) K = THOUSANDS DEPT #: NR = NON REPAIRABLE H = HUNDREDS LOC #: DAS = DECLARE AS SURPLUS D = DOLLARS

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION	DATE OF FINAL APPROVAL
43936	APPLE IPHONE4	99000402183246	end of life	14	470	IT Closet				
44855	APPLE IPHONE 5S	DX3QNNHRFF9R	will not power on	16	449	IT Closet				
46230	IPHONE5S 9018700259	DX3NV4EHFFDQ	will not hold charge	16	449	IT Closet				
48027	KYROCERA DURAXE	014390002587649	Bad charging port	17	269	IT Closet				

  

AUTHORIZATION TO DISPOSE SIGNED BY: <u>Felicia Hopper</u> DATE: 02/26/18 PRINT NAME: Felicia Hopper DISPOSED BY: _____ DATE: _____ PRINT NAME: _____ INV CLERK: <u>Angie Tapley</u> DATE: 2/26/18 PRINT NAME: Angie Tapley				INVENTORY CLERK INFORMATION PRELIMINARY PRESENT TO BOS: <u>March 5, 2018</u> FINAL PRESENT TO BOS: _____ DATE INVENTORY DISPOSED IN AS400: _____ DATE BOS FINAL MINS ATTACHED: _____		NOTES
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FISCAL YEAR: 2018

PRELIMINARY

INVENTORY DISPOSITION

1 OF 1

DEPT NAME: Circuit Court Reporter 152 NRC = NON REPAIRABLE (COST) K = THOUSANDS DEPT #: 179 NR = NON REPAIRABLE H = HUNDREDS LOC #: 179 DAS = DECLARE AS SURPLUS D = DOLLARS

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION	DATE OF FINAL APPROVAL
4066	Stentura 8000	8026798	No longer works / was replaced	96	4K	Accounting Dept.				

  

AUTHORIZATION TO DISPOSE SIGNED BY: <u>Ginger Harrell</u> DATE: 02/26/18 PRINT NAME: Ginger Harrell DISPOSED BY: _____ DATE: _____ PRINT NAME: _____ INV CLERK: <u>Angie Tapley</u> DATE: 02/26/18 PRINT NAME: Angie Tapley				INVENTORY CLERK INFORMATION PRELIMINARY PRESENT TO BOS: <u>March 5, 2018</u> FINAL PRESENT TO BOS: _____ DATE INVENTORY DISPOSED IN AS400: _____ DATE BOS FINAL MINS ATTACHED: _____		NOTES
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**c. Motor Vehicle Rental Tax Diversion**

Deputy Finance Director Stephanie Hanks stated Accounting has received the rental tax diversion and the amounts are ready to send out to the different entities. She stated the County will retain \$148,134.74.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize the disbursement of the motor vehicle rental tax diversion as presented and authorize the clerk to write the checks.

The motion passed by a vote as follows:

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

See Exhibit I.2.c.

001-000-266	MOTOR VEHICLE RENTAL TAX PAYMENTS BY ENTITY FOR 2017 COLLECTIONS				
	Southaven	Horn Lake	Olive Branch	Hernando	TOTAL
COUNTY	\$67,212.33	\$28,852.75	\$51,979.37	\$90.28	\$148,134.74
SCHOOLS	\$79,768.24	\$34,252.54	\$61,714.64	\$107.16	\$175,842.59
SOUTHAVEN	\$65,112.61				\$65,112.61
HORN LAKE		\$31,961.43			\$31,961.43
HERNANDO				\$81.55	\$81.55
OLIVE BRANCH			\$44,346.04		\$44,346.04
	\$212,093.18	\$95,066.73	\$158,040.05	\$279.00	\$465,478.96

**d. Claims Docket**

Deputy Financial Officer Stephanie Hanks presented a page by page declaration of the Claims Docket. Accounting Clerk Sissy Ferguson brought invoice documentation to address any questions.

**Supervisor Jessie Medlin asked about the following claims:**

Page 15 – Holly Springs Utility seems to be a lot. Mr. Jarman stated the Sheriff’s Department is hosting a lot more overnight training sessions. He presented a spreadsheet showing the utility bills since October 2017. See Exhibit I.2.d.

**Supervisor Mark Gardner asked about the following claims:**

Page 4 – Delta Computer – Mrs. Hanks stated this is for half of the AS400 maintenance.  
 Page 7 – C&C – Flooring at Walls Library – He thought the damage there was minimal.  
 Page 27 & 30 – Payments to Jonathan Ponders – Mr. Nowak said the statute says if a person dies and money is owed it shall be paid to the spouse or children, not to an estate. Mrs. Hanks stated Jonathan and Joshua will get a 1099 at the end of the year. Supervisor Medlin asked what the \$4,875 was from. Mrs. Hanks stated it is retirement money. She said the County’s portion will be a journal entry. She stated Payroll calculated the amount owed and Accounting divided it in half.  
 Page 79 – MES – Mrs. Lynchard stated that is Municipal Emergency Services and it was for thermal imaging used for search and rescue.  
 Page 81 – The Armory – The invoice showed 2 suppressors for SWAT team.  
 Page 84 – Covington Sales – Lexan Door Glass – Mr. Swims stated that was for a glass on a tractor.

**Supervisor Bill Russell asked about the following claims:**

Page 6 – Tanger Outlet & Mileage – Mrs. Hanks stated the Tax Collector gets his special fees attached

to his expense check each month and the mileage is his travel between offices.

**Supervisor Lee Caldwell asked about the following claims:**

Page 35 - \$2.56 for aviation fuel. The invoice showed an interest charge. Mr. Nowak stated if the bill is paid within 45 days the County does not pay interest. Mrs. Hanks stated she can take that off and look at it.

**Supervisor Michael Lee asked about the following claims:**

Page 34 & 36 – Paul Leslie – Training in Amarillo. Mrs. Hanks stated page 36 is the registration fee for a conference and Page 34 is a meal advance for 8 days.

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

The motion passed by a vote as follows:

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

**3. Road Department**

**a. Finding of Fact - 1951 to 2002 Dean Road**

Road Manager Andy Swims stated this repair will be more costly as it is a very flat area with a huge drainage area from the north. He stated it is very difficult to keep the road from flooding during heavy storms. Mr. Swims said a lot of shoulder gravel washes onto the road and fills up the ditches on the other side of the road. He stated they are trying to look for solutions so maintenance costs would not be so high. Mr. Swims stated the plan is to replace the driveway culverts with larger pipes to help the water flow and repair the shoulders.

Supervisor Gardner asked if the water went over the road. Mr. Swims affirmed and said the Road Department has to go out and fix it every time. He stated they are trying to get this area where that occurs less. He stated they would like to put in asphalt or concrete apron about 20 feet to keep the driveway from washing away. Mr. Nowak stated he would have to check into that. Mr. Swims stated the County has spent a lot of money replacing the washed out materials, and putting a concrete apron will save money for the County.

Supervisor Caldwell stated she thought the plan was to put in concrete headwalls at the culverts.

Supervisor Russell said he would like to wait and see how the headwalls work before putting in an apron on the driveway.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to authorize the replacing of the culverts with larger pipe and with headwalls and see if that will fix the problem.

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.**

**4. Fire/EMA Committee – Eudora Volunteer Fire Department Generator**

This item was removed from the agenda.

**5. Advertising County Resources – Arkabutla Physically Challenged Hunt**

Supervisor Lee stated this hunt is put on each year for the physically challenged hunters. He said the organizers are trying to make this year’s hunt the biggest ever.

Supervisor Gardner stated he would like to know the dates to be able to go and volunteer.

Supervisor Michael Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve an allocation from Advertising County Resources of \$500 to the Arkabutla Physically Challenged Hunt; after having determined that the request to advertise county resources met the guidelines of the policy adopted by the Board of Supervisors, in accordance with Section 17-3-3 of the Mississippi Code of 1972, the Board of Supervisor 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>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.

**6. Identifying County Property**

Mrs. Lynchard stated GIS had started working on this project a while back, and since the resignation of Mr. Trapolino, it has been revisited. She stated he had looked at deeded property that was acreage with buildings and parks and some of those properties have been given back. She stated he did not identify the ones that MDOT or other government agencies had deeded back to the County. Mrs. Lynchard said the County wanted to know where there were right of ways and easements.

Supervisor Caldwell asked when the State or Federal governments gave back land if it was identified. She stated some of that land is being farmed and the County needs to give it back to citizens and let them be paying taxes on it.

Mrs. Lynchard stated that Mr. Winkler found that when Sam Russell was in GIS he had started mapping road right of ways, but when the next person came in it was not a priority.

Supervisor Gardner thanked Mr. Winkler for keeping a 2-person office open with 1 person. He asked what kind of time it would take to accomplish this. Mr. Winkler stated the data set that Mr. Russell completed was from 2003 to 2007 and he had interns to help with work from all the deed books that were not scanned; about 8000 segments. He stated each one has a distance from the center line, deed book and page reference where available.

Supervisor Russell asked if this was something that needed to be cleaned up and if the right of way information was necessary. Mr. Swims stated they use the right of way information all the time and did not know it had been 10 years since it was updated. He said there can be dedicated easements that the County maintains that are assumed to be right of way after several years.

Supervisor Gardner asked Mr. Winkler if this was approved, did he need help. Mr. Winkler affirmed and said the University of Memphis has a resource for hiring interns.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to authorize Mr. Winkler and Mr. Mitchell to talk to the University of Memphis and the possibility of hiring interns to help with identifying County properties.

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>

## **7. Justice Court Positive Pay Program**

Mrs. Lynchard reminded the Board that there was a situation in Justice Court where their account was hacked. She said the bank wanted Justice Court to close the account, but the auditors did not want to do that. She stated Mr. Pat Sanford has found an alternative approach, and the Accounting Department has looked at it.

Justice Court Clerk Pat Sanford stated BankPlus has caught 3 checks attempting to go through their account, and they anticipate more. He stated the checks have been forged cashier's checks that the person is attempting to ACH out of Justice Court into another account. He said if the bank catches it within 24 hours they stop it.

Mr. Sanford stated BankPlus has a program called Positive Pay with which Justice Court will send them a file each day with check numbers and amounts that they write. He said when the checks come through the bank each night, the bank will compare them with the file he sends in. If a check comes through that does not match, the bank will send an email to Pat Sanford, Ashley Wachenschwanz, or Debbie Rutherford notifying them and they have to approve or reject the check.

Supervisor Medlin asked Mr. Sanford how many checks a month did Justice Court average. Mr. Sanford stated probably 15 or less. Supervisor Medlin asked how many agencies had their own account. Mrs. Lynchard stated the Sheriff, Circuit Clerk, and Chancery Clerk and Tax Collector have several. She said EMS also has their own.

Supervisor Gardner asked Sheriff Rasco when these types of complaints come through if they usually were out of the country. Sheriff Rasco affirmed.

Mr. Sanford stated BankPlus will train Justice Court employees on the Positive Pay program at no cost. He also warned that the bank says there is a lot of this type activity going on in the area.

## **8. Planning Department Manager's Report**

Planning Director Bennie Hopkins presented a snippet of what the Planning Department has accomplished over the past year. He stated they have hired 3 new employees and presented their mission and goals for 2018. (See Exhibit I.8.) Mr. Hopkins said they are very thankful for the computers in their trucks that give them access to their desktops as it has made their inspection and reporting process very efficient. He said it also aids builders and constituents. Mr. Hopkins said the use of iPhones in their field also allows them to take pictures and communicate with contractors to get things corrected easily and quickly.

Mr. Hopkins stated the past several years have seen a steady increase with subdivision, rezoning, conditional use requests, and minor lot requests going up. He said the County had led all the municipalities in permit activity within the County for the past 3 years with very active development activity in the unincorporated County.

Mr. Hopkins stated the online application has also helped with office efficiency. He said they have a good working relationship with the MS State Health Department; and they have found when inspections are slow, it generally means the homeowner has not paid their fees to the Health Department.

Supervisor Lee asked if there were many complaints about Health Department inspections. Mr. Hopkins said the biggest complaint is the time to get an inspection, but most of the time the fee has not been paid. He said Mr. Randy Williams thinks the process is faster. He said his department normally gets emails from the Health Department right away and they have had no major breakdowns with the process.

Mr. Hopkins stated the installation of a Smart Board in the Planning Department was invaluable. He stated they use it every day and really appreciate the Board of Supervisors having that installed.

Mr. Hopkins stated the Planning Department has been doing all the inspections for the County with 2 inspectors and if called by noon, they get the inspection done before the end of the day. He said unless they get overwhelmed with requests, inspections are all done the same day.

The Board discussed the Board of Adjustments and their responsibilities with Mr. Hopkins as he said they had an active season last year.

Supervisor Caldwell commended Mr. Hopkins for presenting an excellent report and thanked him for the job he and his department do.

**See Exhibit I.8.**

## **9. Liability Insurance Renewal**

Mr. Davy Hunt and Mrs. Sarah Edmiston of SouthGroup Insurance addressed the Board about the liability insurance renewal. Mr. Hunt stated they met last week with Mrs. Lynchard and Mrs. Reby Johnson regarding loss control. He stated they were particularly concerned with the County's auto insurance. Mr. Hunt stated claims are up partly because the economy is good and more people are on the road. He said the average mile per driver is up because gas is a little cheaper and that means there are more claims nationwide.

Mr. Hunt said the main types of claims are from distracted driving. Mr. Hunt said the average impact used to be 20-30 mph, but is now at a higher speed because of distracted driving. He said they are proposing that the County do some defensive driver training. He said Mike Eddy is coming and they are going to use him to do some defensive driving especially with the Sheriff's Department and Road Department. Supervisor Gardner asked if the supervisors could attend the driving. Mr. Hunt said they absolutely could.

Mrs. Edmiston stated the County has an upward trend going for auto claims. She said the past 2 years have not been good. She stated SouthGroup wants to be sure the Board is informed and they want to recommend the defensive driver training.

Supervisor Gardner asked how much driving training was going on in the County. Mr. Swims stated the Road Department trains about 5 times per year. Deputy Bruce Holbrook said each deputy is required to complete a 4-hour training each year. Mrs. Lynchard said EMS does theirs regularly and in-house.

The Board thanked Mr. Hunt and Mrs. Edmiston for bringing this need to their attention.

**See Exhibit I.9.**

## **10. Circuit Courtroom Audio Visual**

Judge Gerald Chatham, Circuit Clerk Dale Thompson, and Deputy Clerk Rhonda Vance came to ask the Board to look at purchasing a new audio visual system for the main courtroom. Ms. Thompson said the Courthouse is a showplace for the County and its court system.

Supervisor Caldwell asked why the Board did not hear this request at budget time. Ms. Thompson stated she could not get key people to say it was really needed. She stated the price to fix the current system is just not feasible. She said the main courtroom is used for many things within the County, not just by Circuit Court. Mrs. Thompson stated she had a part of the solution to turn over to the Board in her excess fees as she was budgeted \$195,000 and will be turning in \$218,990.11.

Supervisor Gardner said the email Ms. Thompson sent said the current system is often disruptive to court proceedings. Ms. Thompson stated many times they have to stop court and get IT over there to fix problems. She stated they are not able to use modern technology with the old system and it gets quite embarrassing. Judge Chatham stated it is also very hard for him and his court reporter to hear the witnesses as the speakers are turned toward the audience. He also noted they have to pass around a

microphone on days when jurors are in the courtroom and they need to expedite the proceedings.

Supervisor Caldwell said the Board certainly did not want to throw good money after bad to fix an antiquated system and she appreciated Ms. Thompson bringing in the excess funds to help take care of getting a new system. Mrs. Lynchard stated the rental car diversion could cover another large part of the cost.

Judge Chatham commended the Board for doing a good job of taking care of the courthouse and grounds, which he said, are second to none. Mrs. Vance stated they really need the ability to play media that law enforcement or attorneys bring in. She stated they need to be able to plug in the media and have it work.

Supervisor Medlin asked how old the current system was. Ms. Thompson said it is very old and has been upgraded. Supervisor Medlin asked how often the courtroom is used. Ms. Thompson said it is used almost every day. She said it is typically empty on Friday afternoons unless they have a trial that goes over. She said they summon about 600 jurors a month.

Evan Rogers and Ryan Hill from IT came in and said that John Mitchell feels it is better to have consistency in all the buildings. They said the system in the Board Room, Juvenile Courtroom, and the new courtroom in the Courthouse are all the same type systems. Director of Procurement Pat McLeod stated they feel this system needs to be bid since we have added new systems recently and are very close to the bidding limitations. She said it should take about 7 weeks to 2 months.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to go out for bids on a new audio visual system for the main courtroom using some funds from the Circuit Clerk’s excess fees and Rental Car Division fees to help pay for the system.

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>

**11. Circuit Clerk Excess Fees**

Ms. Thompson presented a check to the Board for \$218,990.11. Mrs. Lynchard stated the budgeted revenue was \$195,000.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to accept the check for the Circuit Clerk’s excess fees in the amount of \$218,990.11.

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>

**12. Humana New Case Document**

Mrs. Lynchard stated Human Resources just got this document back from Humana and they are requesting the Board President’s signature.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Board President to sign the new case document from Humana

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 YES  
Supervisor Lee Caldwell, Fourth District YES  
Supervisor Michael Lee, Fifth District YES

See Exhibit I.12.

### 13. Legislative Update

- a. **SB2034** – Mrs. Lynchard stated Senator Blackwell sent an email last week stating the bill to allow the Road Department to transfer equipment passed and was on its way to the Governor for signature.
- b. **HB1131** – Mrs. McLeod said this was regarding reverse auction with language that the Board could say if reverse auction was a good thing for the County. She stated the bill died.
- c. **HB2418** – Mrs. Lynchard stated if this becomes law every County will have to go through another round of bridge inspections to determine allowable weights on bridges. Supervisor Caldwell stated all but Rep. Hopkins said they were going to vote against it and he did not say. Supervisor Gardner said additional bridge inspections will cost millions of dollars. Supervisor Caldwell said the additional 10% per axle weight will cause roads to deteriorate.
- d. **SB1122** – Supervisor Caldwell expressed kudos to Mr. Nowak, Senator Massey and Rep. Foster for their hard work on the Ag bill. She stated Mr. Nowak did some digging in other states to see what they did on their farm usage. She said if Supervisor Gardner had not heard about it and some research done, it would have just passed. She stated the bill said anything that was farm use would supersede county or city ordinances.

### 14. Discussion About Ag Use on Blythe Road

Planning Director Bennie Hopkins stated Mr. Tommy Carr and Mr. Terry Carr wanted to have a cattle conditioning lot on Blythe Road. He stated they came into the Planning Office to see about permits and they decided they would like to come before the Board so the Board would have good information.

Mr. Terry Carr stated this would not be a feed lot, but a conditioning lot. He stated they would get yearlings and give them their shots to be sure they are healthy and ready for a feed lot. He stated they will keep the yearlings about 30-40 days for them to be ready to be shipped. Mr. Carr stated the cattle will come in about 400-450 pounds and they hope to put about 2 pounds per day on them. He stated his intent is start out at about 100-200 head on 25-30 acres.

Supervisor Medlin asked how they anticipated getting their cattle. Mr. Carr stated from the sale barn or directly from farmers before they go to the sale barn.

Supervisor Russell asked if there was another conditioning lot around. Mr. Carr stated there used to be one in Senatobia, but it has closed.

Supervisor Caldwell asked if an individual could buy from them. Mr. Carr stated he would sell from the ones that belonged to him. Supervisor Caldwell asked if there were any neighbors close to the property. Mr. Carr stated it is located next to the shooting range.

Supervisor Russell stated he would like to sit down with the Carr's and learn more about their operation. He asked what Mr. Carr would have to do to get started. Mr. Carr stated he will have to fence, dig a well, and get electricity.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to table this discussion until the next meeting.

The motion passed by a vote as follows:

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



**15. Discussion on Drones and EMA Grant**

Supervisor Gardner stated he is a big fan of drones, but he had a concern. He stated EMA took the drones out on a mission last week and one crashed. He said there was no pilot error, the drone just malfunctioned. He asked if the grant provided for the liability of a crash. Mrs. Lynchard stated, unless this is a different type of Homeland Security Grant, they are allowed to use it for County business, but if it breaks it is the County’s responsibility. She said if they are on a Homeland Security mission, the grant would pay for it.

Supervisor Gardner stated EMA sent a report to the FAA that the drone had already flown 6 missions that day and on the last mission the drone lost all control at take-off. Supervisor Gardner expressed concern at what the County is accepting when they accept free things.

Sheriff Rasco stated EMA had talked to the manufacturer and they agreed something went wrong and agreed to fix the drone.

**Addendum after Executive Session:**

**16. Local & Private Legislation**

Mr. Nowak stated the Board previously submitted a local and private that said as a matter of economic development the County at its discretion could contribute up to \$25,000,000. He stated the Economic Council can spend the money on anything related to an economic development project, whereas the Board is limited to spending on infrastructure.

Supervisor Russell stated this would give the Board the right to decide to give the money to the Economic Council. Mr. Nowak stated with the local & private in place, the Board can give money to the Economic Council for the purposes of incentivizing a company to come into the County.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to authorize the firm of Smith, Phillips, Mitchell, Scott and Nowak to send the Local & Private legislation to the legislators as he did last year.

The motion passed by a vote as follows:

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

See Exhibit I.16.

**17. Subdivisions With Creeks & Ditches**

Supervisor Medlin stated the Board needed to look into subdivisions with creeks and ditches and make sure the developers do some work on them to stabilize the banks.

**J. PLANNING COMMISSION**

**1. New Business**

**i. Consent Minor Lot**

- a. Knowles Minor Lot (7216) – Approval of 4 lots on 4.88 acres. Identified as Parcel #2-09-8-27-00-0-00037-03. Subject property is located on the west side of Baldwin Road and north of Hwy 301 in Section 27, Township 2, Range 9 Zoned A-R (District 3)  
Applicant – Phillip Pounders**

- b. **Walton Park Minor Lot, 1<sup>st</sup> Rev. (7217) – Approval of 2 lots on 2.82 acres. Identified as Parcel #3-07-5-16-00-0-00011-00. Subject property is located on the west side of Getwell Road and north of Holly Springs Road in Section 16, Township 3, Range 7 Zoned A (District 5)  
Applicant – John Nicholson**
- c. **The Pines at Stonewall Minor Lot (7218) – Approval of 10 lots on 29.3 acres out of 249.21 acres. Identified as Parcel #3-05-3-05-00-0-00005-00. Subject property is located on the south side of Byhalia Road and west of Louise Road in Section 5, Township 3, Range 5 Zoned A (District 1)  
Applicant – Michael Allen**
- d. **Evans Place Minor Lot (7219) – Approval of 8 lot(s) on 21.36 acre(s). Identified as Parcel #3-06-3-05-00-0-00021-00. Subject property is located on the east side of Craft Road S. and north of Vaiden Road in Section 5, Township 3, Range 6 Zoned A (District 5)  
Applicant – Mark Utley, Jr.**

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

Supervisor Lee asked about the cell tower easement located on the Evans Place Minor Lot plat. Mr. Cardosi stated that staff suggested the applicant wait until the easement is moved and the details of the easement are worked out before bringing this application before the Board. Supervisor Lee stated he would like to wait to make a decision on the Evans Place Minor Lot application until the easement is worked out for the cell tower.

Supervisor Medlin made the motion and Supervisor Lee seconded the motion to approve the Consent Agenda items, with the Evans Place Minor Lot to be tabled until additional information regarding the cell tower easement can be presented.

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

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

**2. OTHER**

**a. ROW deed Hudspeth 2 Lot Minor**

Mr. Hopkins presented a request for authorization for the County Attorney to research and complete the ROW deed for Hudspeth 2 lot minor lot.

Supervisor Medlin made a Motion and Supervisor Russell seconded the Motion to authorize the County Attorney to research, complete and record the ROW deed for Hudspeth 2 lot minor lot.

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

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

**b. 4412 Sunset Business Violation**

Mr. Hopkins stated after numerous complaints of a commercial tree business operating, staff is requesting the Board to authorize the County Attorneys to pursue legal action for violations of the zoning ordinance. Certified letters have been sent and multiple site visits have occurred to inform the owners of their violation.

Supervisor Lee made a Motion and Supervisor Russell seconded the Motion to authorize the County Attorney to pursue legal action for a business violation at 4412 Sunset.

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

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

**K. EXECUTIVE SESSION**

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

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to recess the Board meeting until Monday, March 19, 2018, 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 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 2nd day of April, 2018, 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