

DESOTO COUNTY BOARD OF SUPERVISORS
BOARD MEETING MINUTES
DISTRICT FOUR SUPERVISOR LEE CALDWELL, PRESIDING
April 1, 2019

A. CALL TO ORDER

The April 1, 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

Planning Director Bennie Hopkins offered the invocation.

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF MARCH MINUTES

Supervisor Caldwell asked if everyone had read over the March minutes.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to accept the minutes of the Board of Supervisors for March, 2019, 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>

E. 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. Proof of Publication for Nesbit Fire District Annexation – (Consent, G.5.b.)
 - b. Ambu-bus - Supervisor Gardner – (New, J.17.)
- 2. Mrs. Lynchard requested the following be considered for Executive Session:**
 - a. Potential Litigation - County Building (Executive, K.4.b.)

- b. Potential Litigation – Flowage Easement (Executive, K.4.c.)
- c. Industrial Prospect - Hotel (Executive, K.5.b.)

3. Supervisor Caldwell requested to add the following:

- a. Armory Update & Discussion on EOC – (Old, H.4.)

4. Environmental Services Director Ray Laughter reminded the Board about Spring Clean-Up.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve the Agenda with the additions, deletions and corrections as set forth above.

The motion passed by a vote as follows:

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

F. CITIZEN REMARKS & PRESENTATIONS

1. Proclamation of National Safe Digging Month

Jamie Payne from Marathon Petroleum stated she works in Administrative Services for the Marathon Pipeline Division. She stated Marathon maintains 2 pipelines in this area. Ms. Payne said safety is the #1 goal for their employees and community; and they are committed to safely moving petroleum products.

Ms. Payne stated 811 is a vital service and is free in each state. She said when a landowner calls they are connected with a national site and companies are sent out to locate utilities. She said landowners are required to call 3 days prior to digging and are subject to fines if they do not call and they hit a line. Ms. Payne said they promote safe digging to protect the community from dangers of hitting utility lines. She stated they hold several public awareness events in the community, and have a big emphasis on going to the schools.

Mrs. Lynchard stated the use of 811 has been a priority for this board. She said DeSoto County is blessed to have someone local to come and address the Board.

Supervisor Gardner stated there a lot of things people don't think about when digging; but they can impact gas, fiber optic, power, etc. even by digging a post hole. He said if the homeowner will spray white paint in the area they are planning to dig, the locators can do that specific area rather than the whole property.

Supervisor Lee said he called 811 and got a very fast response.

Supervisor Caldwell said they are getting high speed internet to their house and having 811 come and identify all the utilities was very helpful.

Mr. Swims stated 811 will be at the Safety Rodeo on Friday to speak to the public service employees.

Supervisor Russell asked when flags placed by 811 could be removed. Ms. Payne said to call 811 and ask if they can be removed.

Supervisor Caldwell asked if there was anyone present who wished to speak on an item not on the agenda. No one came forward.

Supervisor Medlin asked if Marathon's pipeline was the one that ran from the river through the state line. Ms. Payne said their closest line is in Byhalia and runs north and south. She stated they do work with Trunkline closely as their goal is to keep everyone safe.

Mrs. Lynchard stated we will post the proclamation downstairs in the Administration building as a reminder to people. Supervisor Caldwell asked that the information also be posted on the County's website and social media.

G. CONSENT AGENDA

1. Department of Human Resources: Monthly Health Claims Report

The following is a recap of all insurance claims funded for the month of March and paid to Humana and RXnGo:

Funding Request	Date Paid	Amount	Claim Type
		\$105,316.08	Administrative Fees
3/4/19	3/4/19	\$1,787.50	RXnGO Pharmacy
3/4/19	3/5/19	\$126,051.00	Medical
3/4/19	3/5/19	\$5,970.65	Dental
3/4/19	3/5/19	\$32,409.08	Pharmacy
3/11/19	3/12/19	\$96,134.94	Medical
3/11/19	3/12/19	\$9,723.71	Dental
3/11/19	3/12/19	\$18,540.49	Pharmacy
3/18/19	3/19/19	\$180,542.44	Medical
3/18/19	3/19/19	\$7,424.65	Dental
3/18/19	3/19/19	\$34,037.57	Pharmacy
3/15/19	3/19/19	\$3,691.67	RXnGO Pharmacy
3/25/19	3/26/19	\$72,888.80	Medical
3/25/19	3/26/19	\$6,375.00	Dental
3/25/19	3/26/19	\$27,540.66	Pharmacy

Total for Humana:	\$722,955.07
Total for RXnGo:	\$5,479.17

2. Office of Finance & Accounting

a. Budget Amendments – Animal Services, Election Commissioners, Garbage & Solid Waste/Rubbish Pit, Parks & Greenways/Johnson Creek Project, Road Management/Insurance

(1)	Fund/Department #	001 / 445				
ACCT #	LINE ITEM	YEAR TO DATE	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
	REVENUE					
001-000-370	Animal Shelter Donations	\$ 1,175.00	\$ 1,155	\$ 20		\$ 1,175
	EXPENSE					
001-445-588	Veterinarian Fees - Spay & Neuter	\$ 5,760.06	\$ 16,390	\$ 20		\$ 16,410
	TOTALS			OVERALL INCREASE	\$20.00	
Reason for Request: (Show detailed)	Increase revenue and increase expenses to account for recent restricted donations given to the animal shelter.					
(2)	Fund/Department #	001 / 180				
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
001-180-639	Signs	\$ 217.30	\$ 4,500	\$ 3,000		\$ 7,500
001-180-919	Furn / Office Equip-Under \$5000	\$ 87.99	\$ 3,500		\$ 3,000	\$ 500
	TOTALS		\$ 8,000	\$ 3,000	\$ 3,000	\$ 8,000
Reason for Request: (Show detailed)	Necessary to order additional signs for new precinct as well as replace worn out "vote here" signs.					
(3)	Fund/Department #	105 / 341				
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
105-341-550	Legal Fees	\$ 1,032.50	\$ 1,100	\$ 1,000		\$ 2,100
105-999-999	Ending Cash	\$ -	\$ 1,823,527		\$ 1,000	\$ 1,822,527
	TOTALS		\$ 1,824,627	\$ 1,000	\$ 1,000	\$ 1,824,627
Reason for Request: (Show detailed)	To account for legal fees for contract addendum and rubbish pit property acquisition.					

		Fund/Department #	101 / 539			
(4)	Parks & Greenways - Johnson Creek Project					
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
101-539-550	Legal Fees	\$ 367.50	\$ 1,000	\$ 500		\$ 1,500
101-539-555	Engineering Fees	\$ 2,775.00	\$ 173,595		\$ 500	\$ 173,095
TOTALS			\$ 174,595	\$ 500	\$ 500	\$ 174,595
Reason for Request:		To account for legal fees associated with project bid.				
		Fund/Department #	156 / 300			
(5)	Road Management - Insurance					
ACCT #	LINE ITEM	YEAR TO DATE	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
REVENUE						
156-000-376	Insurance Proceeds	\$ 4,237.76	\$ 2,704	\$ 1,534		\$ 4,238
EXPENSE						
156-300-541	Road Mach & Equip Repairs	\$ 60,344.45	\$ 162,704	\$ 1,534		\$ 164,238
TOTALS				OVERALL INCREASE	\$1,534.00	
Reason for Request:		Increase revenue and increase expense to account for insurance proceeds to repair damaged boom mower				
(Show detailed						

b. Quarterly Allocations for 3rd Quarter

QUARTERLY BUDGET ALLOCATIONS

For Quarter Ending June 30, 2019

TAX ASSESSOR:

Department 103.....\$344,478.00

TAX COLLECTOR:

Department 104.....\$348,738.50

SHERIFF:

Department 200 (Sheriff Administration) \$ 325,178.50
 Department 201 (Aviation) \$ 74,692.00
 Department 202 (Patrol/Law Enforcement) \$ 3,542,521.42
 Department 216 (DUI Grant) \$ 63,745.25
 Department 220 (Custody of Prisoners) \$ 1,290,162.17
 Department 222 (Prisoners' Medical Expense) \$ 285,955.75
 Department 223 (Juvenile Detention) \$ 322,381.75
 Department 225(Search Unit) \$ 8,387.50
 TOTAL SHERIFF \$5,913,024.33

TOTAL ALLOCATIONS.....\$ 6,606,240.83

3. Road Department

- a. Monthly Road Report
- b. Monthly Work Schedule
- c. Road Bond Report

4. Contract Administration – Auto Renewal

- a. Road Department – Neel Schaffer General Services
- b. EMA – Statewide Mutual Aid Compact Agreement

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

- a. Proof of Publication – On Street Parking Ordinance
- b. Proof of Publication – Annexation of Nesbit Fire Protection District

**6. Add Wayne Hardin & Remove Jason Patrick as Receiving Clerk for Animal Shelter:
001-044 – Animal Control
001-445 – Animal Shelter Operations**

7. Meal Log Affidavit

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 G.

H. OLD BUSINESS

1. 10:00 a.m. – Public Hearing for Nesbit Fire Protection District

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to open the public hearing to hear any objections to the annexation of the proposed area into the Nesbit Fire Protection District.

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>

Mr. Nowak stated at the March 4, 2019 meeting the Board held a public hearing to determine the public necessity and convenience of the annexation. He stated the public need was proved at that time and this hearing is to hear any public protest. He stated a notice of this public hearing ran in the newspaper the required amount of time. Mr. Nowak stated if there is no protest, the Board is in a position to adopt the final annexation to the Nesbit Fire Protection District.

Supervisor Caldwell asked if anyone was present to object to the annexation of territory by the Nesbit Fire Protection District. There was no one present to object.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the final order for annexation of the 2 parcels of land into the Nesbit Fire Protection District, finding the annexation meets the public need and there are no protests to the annexation.

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 Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to close the public hearing.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
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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. Sheriff’s Department – Jail Kitchen Update

Facilities Manager Robert Jarman said he is still working with Hobart on the jail’s kitchen contract to get some invoices corrected; but he did have an update on the ESSC contract which covers the cameras in the jail.

Supervisor Gardner asked if some of the equipment was starting to wear out. Mr. Jarman stated some of the cabinets are at the end of life, and he is getting costs together to start changing some out next budget year.

Mr. Jarman said this is the second year to have a service contract with ESSC to maintain the camera systems at the jail. He said when the question of needing more money came up, he started looking at invoices and found ESSC had not done some of the work they were to have done within the contract. Mr. Jarman said ESSC agreed to void the 2 invoices that totaled over \$16,000 since they had not done the routine maintenance as outlined in the contract.

Mr. Jarman stated there is one invoice for \$3,952 and most of that is for intercom calls and camera replacement. He suggested that a couple of people from the County needed to learn how to reboot the cameras rather than pay a \$175 service call for someone to come out and reboot a camera. Mr. Jarman stated that he, Commander Wicker and ESSC are going to meet with ESSC next week. He said he will also be asking them to provide a monthly report on work done.

Sheriff Rasco asked Mr. Jarman to be sure John Herring is involved in learning how to reboot the cameras. Mr. Jarman said he has been copying Mr. Herring on all the emails involving the security systems. He said he noted the charges that could have been avoided if someone onsite knew how to reboot the cameras.

Mrs. Lynchard reminded the Board that they approved a budget amendment at the last meeting for \$9,668.76 from Ending Cash; and now that the invoices have been voided, there is no need for that.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to rescind the previous budget amendment for \$9,668.76 from Ending Cash to the Sheriff’s Department.

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>

Mr. Jarman stated he will come back to the Board regarding the kitchen and laundry contracts as soon as he meets with them and goes over the invoices. He stated if someone at the jail will call the Facilities employee assigned to the jail before they call Hobart or Cates Laundry, many service calls can be eliminated from the kitchen and laundry. He said there were a lot showing on the invoices that could have been handled in house. Mrs. Lynchard stated this has been a learning process and the County has definitely saved money with these contracts.

See Exhibit H.2.

3. IT – Update – Contract with ICON for Justice Court Software

IT Director John Mitchell and Justice Court Clerk Pat Sanford were present to address the Board. Mr. Mitchell reminded the Board that they were able to deal directly with the vendor after the

Board determined the purchase is for services, not commodities, which determination was consistent with an AG opinion the Board secured. He reminded them that ICON's original bid was \$110,000 for the Justice Court software package; and after negotiations, their final cost is \$80,000.

Supervisor Medlin asked when the county-wide system is in place, if the Justice Court package would have to change. Mr. Mitchell stated they will have to have an interface to feed information to Accounting when that piece is done; but it will be a very low impact and won't be anything big. He stated the maintenance will be the same and noted Mr. Nowak has seen and approved the language in the contracts. Mr. Mitchell stated he thinks this is a good vendor to move forward with.

Mr. Sanford stated he thinks using this package will help out tremendously over time. He stated they do a lot of repetitive work presently, and this software is Windows-based so it remembers data. Mr. Sanford said with the new software when a clerk types in a name, their address and prior information will pop up. He said if e-filing ever comes to fruition, they will also be able to accommodate that. Mr. Sanford said the system also allows for multi-tasking by allowing 8 to 10 tabs open at the same time; and calendaring will be much more efficient as well.

Mr. Sanford stated when they get the new system running, it will be a process for his staff as they will have to do some things on both systems to keep the County safe and be sure everything is running properly. He said Justice Court will not go live right away until he is sure it all works. Mrs. Lynchard noted when Justice Court changed credit card systems, Mr. Sanford made sure things were working right before they switched over to the new system. Mr. Sanford said they are doing the same thing now with MSB and trying to get the online system working so people can pay tickets online. He said the only problem with the current system, Graphite, is they promised the online payments, but could not deliver. He said they are waiting to be sure MSB can.

Supervisor Russell asked for an explanation of e-filing. Mr. Sanford stated lawyers can fill in their forms online and file without coming in to Justice Court. He said he did not think the State currently allowed that. Mr. Nowak affirmed. Supervisor Russell asked if that was something the Board needed to address with the legislators. Mr. Nowak stated the decision was up to the MS Supreme Court. He said they started in 2005 with one court and have been adding courts slowly to now include Circuit, Chancery, Court of Appeals and Supreme Court. He said it will take a while to get e-filing to the lower courts.

Supervisor Medlin asked about maintenance costs. Mr. Mitchell stated that will be about \$18,000 per year and that is in line with what it should be. He stated ICON is including the 1st year of maintenance in the price.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the contract with ICON as presented 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 H.3.

4. Armory Update & EOC

Supervisor Caldwell stated she had been contacted last week by Colonel Chris Thompson of the National Guard regarding the Armory and proposed EOC. She said they need a footprint of the EOC and need to know the County's funding mechanism. Supervisor Caldwell said she asked Chief Chris Olson for a plan on what they were looking for and the total was about \$2 million. She said she then asked for a bare bones plan to add to later. Chief Olson stated he did some studies and looked at a phase concept with phase 1 being the initial construction.

Supervisor Russell asked if the plan was to move the EOC from where it is now. Chief Olson said this would expand the operation with the old one to close at some point in time. He also said the military builds to a standard that withstands more than just weather.

Supervisor Caldwell said the plan also has a space for IT off-site storage. Chief Olson stated the EMA operations will not move. He said this center would give a policy group, including EMA, Sheriff, Road, EMS, etc., a place to go to work out of during a disaster. He said if the event was big enough for FEMA and MEMA to come in; it would give them a place to operate as well in the multi-use rooms. Supervisor Caldwell noted that the current facility was not big enough during the County's last big event.

Supervisor Medlin noted the County has not been able to get reimbursement from FEMA. Chief Olson stated that has been true in the past. He said their standards are based on population and per capita. He stated the more populous the County is, the more damages have to occur to be approved. He noted that large scale events get funds.

Supervisor Caldwell said this is a last minute decision, but the information just came in and the Armory said they have to commit an 80% complete design of the property. She said they need to know if the county is going to have an EOC and where the funding is coming from. Supervisor Caldwell asked the Board if they can commit \$1 million over the next 3 years (possibly 4 years) while still looking for outside funding.

Sheriff Rasco asked if the County owned the land, why did the EOC have to be connected to the Armory building. Supervisor Caldwell stated there are advantages to having it connected and the lay of the land is very difficult with the flood area and the landfill.

Supervisor Russell noted there would be obvious savings with architect fees, building only one building, utilities, dirt work, etc. Chief Olson said the cost savings are there if the buildings are joined.

Supervisor Caldwell said the Board has to commit \$1 million to the building of the EOC while working to acquire funding from other means to be able to move forward with the Armory. She said the County has to commit now to get in on their site plan.

Supervisor Lee Caldwell made the motion to commit \$1 million to the building of an EOC while working to acquire funding from other means to be able to move forward with the Armory; and authorize the firm of Smith, Phillips, Mitchell, Scott & Nowak to work on the project.

Supervisor Gardner asked if the Committee had time to meet on this and bring it to the next Board meeting. Supervisor Caldwell withdrew her motion and made a call to the Colonel.

Later in the meeting: Supervisor Caldwell said she talked to the Colonel and the Board can have another 2 weeks to give the committee a chance to meet.

See Exhibit H.4.

I. PLANNING

1. Consent

- a. Eudora Hills Minor Lot (7337): Approval of 9 lot(s) on 17.82 acre(s) as Parcel #3-09-5-15-00-0-00001-00. Subject property is located on the south side of Commerce Street and west of Baldwin in Section 15, Township 3, Range 9 District 4
Applicant: Adam Emerson**
- b. Bright Road Minor Lot (7338): Approval of 2 lot(s) on 11.17 acre(s) as Parcel #3-07-2-10-00-0-00002-01. Subject property is located on the south side of Bright Road and west of Malone Road in Section 10, Township 3, Range 7 District 5
Applicant: South Creek Homes, LLC**
- c. Dean Road/Timber Ridge Minor Lot (7339): Approval of 2 lot(s) on 3.00 acre(s) as Parcel #2-09-7-26-00-0-00015-00. Subject property is located on the north side of Dean Road and east of Baldwin in Section 26, Township 2, Range 9 District 4
Applicant: Timber Ridge, LLC**

- d. Ellis Minor Lot (7341): Approval of 1 lot(s) on 4.00 acre(s) as Parcel #3-06-5-22-00-000001-00. Subject property is located on the north side of Coryelle Road and west of Hwy 305 in Section 22, Township 3, Range 6 District 5
Applicant: Ken Joyner**

Supervisor Caldwell asked to hear Eudora Hills Minor Lot and Dean Road/Timber Ridge Minor Lot separate from the rest of the Consent Agenda items.

Mr. Hopkins presented the Consent Agenda items above except Eudora Hills Minor Lot and Dean Road/Timber Ridge Minor Lot. He then stated the applications meet all Subdivision Ordinance requirements.

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

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

Mr. Hopkins presented the Eudora Hills Minor Lot. Mr. Andy Richardson was present to represent the application.

Supervisor Caldwell stated she would like to table this item to have the applicant address the following concerns:

- The number of lots
- The number of driveways that will be created
- Flooding

Supervisor Caldwell made the motion and Supervisor Medlin seconded the motion to table the Eudora Hills Minor Lot application.

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

Mr. Hopkins presented the Dean Road/Timber Ridge Minor Lot application.

Supervisor Caldwell stated she would like to table this item to have the applicant address the following concerns:

- Drainage
- The driveways that will be created on Dean Road

Supervisor Caldwell made the motion and Supervisor Medlin seconded the motion to table the Dean Road/Timber Ridge Minor Lot application.

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

2. Other

a. Fee Waiver – Lewisburg Primary and Elementary Schools

Mr. Hopkins presented a request to waive all building permit fees for Lewisburg Primary and Elementary Schools. He the estimated fees for the school would be \$3400.00.

Supervisor Lee made the motion and Supervisor Caldwell seconded the motion to waive all building permit fees for Lewisburg Primary and Elementary Schools.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

See Exhibit I.

J. NEW BUSINESS

1. Election Commission – Request to Move Ingrams Mill Voting Location from ACI Fire Department to Ingrams Mill Community Center

First District Election Commissioner Paul Beale stated that 31 years ago the Ingrams Mill Community Center was the voting place for the precinct and that it was a 10x12 metal building which eventually fell into disrepair. He stated the voting place was changed to the ACI Fire Station. Mr. Beale stated the area has since grown tremendously and, with the County’s renovations to the Ingrams Mill Community Center (formerly the Ingrams Mill Schoolhouse), they would like to move the voting location there as it is a much larger facility with 2 entrances, more parking, and more centrally located. He stated this site will be much more efficient and safer.

Supervisor Medlin said they have been looking at doing this; and with the building renovations finished, it will be a good move now. Mr. Beale stated he has talked with the Secretary of State’s office and the Circuit Court Clerk and they are in agreement that it would be a good move. He stated they will install a 4’x8’ sign, put notifications in the paper and on the County website, as well as send out new voter registration cards.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to authorize moving the Ingrams Mill voting place to the Ingrams Mill Community Center and notify the public by mailing new voter registration cards, signs, newspaper, County website, and social media.

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 asked if the Election Commission had changed the voting sites on school campuses where the public would not be in the area with the students. 4th District Election Commissioner Sissie Ferguson said they have met with Mr. Rob Chase at the Board of Education and they are looking at how to keep the public from the students.

See Exhibit J.1.

2. Fire/EMA

a. ACI Volunteer Fire Department – Purchase of Fire Truck

1) Approve Budget Amendment

Mrs. Lynchard reminded the Board that the County puts up the money and when the fire truck comes in ACI will write a check for all but \$70,000 and the State will write a check for \$70,000. She stated Accounting will show an interfund loan so the County can purchase the truck.

2) Authorize Purchase

Chief Olson stated they are waiting for Board approval to move forward. He stated if the Board approves, ACI will get a letter of credit from their bank; and the legislature also has to approve the money.

3) Approval of Application

Mr. Olson presented an approval letter from the State Fire Marshal’s Office. Supervisor Caldwell said it was Eudora’s turn in the rotation, but they let ACI go ahead and they will get the next slot.

Supervisor Michael Lee made a motion and Supervisor Lee Caldwell seconded the motion to authorize the purchase of a fire truck for ACI Volunteer Fire Department, authorize to amend the budget for the interfund loan, receive ACI’s letter of credit, and make the State Fire Marshal’s letter a part of the Board minutes.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor 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 J.2.a.3.

b. Request Approval of County Continuity of Operations (COOP)/ Continuity of Government (COG) Plan & All Board Members’ Signatures

Mr. Josh Harper stated the plan outlines a way to continue government in the event of an emergency. He said it outlines critical infrastructure. Mr. Harper requested all Board members sign the plan and requested a copy go to each department head to review. Chief Olson stated each department head contributed to the writing of the plan.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve the County Continuity of Operations (COOP)/ Continuity of Government (COG) Plan as presented, authorize all Board members to sign, and authorize sending the plan to each department head.

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 J.2.b.

3. Smart Asset Study Results

a. DeSoto County Ranks as Second in Purchasing Power Index in Mississippi

Mrs. Lynchard stated Smart Asset is a publication that comes out nationwide at no cost to the County. She noted DeSoto County residents’ money stretches 2nd highest in the state. She noted the study compares median income and cost of living nationwide. She also noted that the millage not being raised in 15 years has to be a great contributing factor.

b. DeSoto County Ranks as Second Most Charitable County in Mississippi

Mrs. Lynchard stated DeSoto County was 2nd to Madison County in charitable giving. She stated this showed the people in DeSoto County support their community.

See Exhibit J.3.a. & b.

4. Office of Procurement

a. Request to Reject Bid on Class I Rubbish Facility Phase III Cell Construction – Bid File #19-341-001

Mrs. McLeod stated they went out for bids and received no bids. She requested the Board reject Bid File #19-341-001.

Supervisor Michael Lee made the motion and Supervisor Jessie Medlin seconded the motion to reject Bid File #19-341-001 as there were no bids received.

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>

b. Request Approval of Specs and Authority to Re-Bid Class I Rubbish Facility Phase III Cell Construction - Bid File #19-341-002

Environmental Services Director Ray Laughter said he has spoken to several contractors who said they had so much business right now, they did not bid. He said he did have some say if they bid, they can start within 30 days. Mr. Nowak said the Attorney General recommends modifying bids until there is a bidder, unless there is an emergency.

Supervisor Russell said getting this cell open is becoming an emergency to the County. Mrs. Lynchard stated they have gotten some new information and the rubbish pit could be open longer. Mr. Laughter said it depends on the amount and type of rubbish. Mr. Swims said the Road Department is taking just about everything to Railroad Avenue and Star Landing.

Supervisor Russell asked if the rubbish pit needed to be closed to commercial. Mr. Laughter said not just yet. He said they are getting a lot of residential traffic.

Mrs. McLeod said she contacted the State Auditor's Office and they said Waste Pro could bid.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to approve the specs and re-bid the new cell construction at the rubbish pit.

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 J.4.b.

c. Recommendation for Award of Hot Mix Asphalt Overlay on Various Roads

Mrs. McLeod stated the Procurement went out for bid to overlay a number of base roads and 10 optional roads. She stated their recommendation is award the bid to Double T construction. She noted they rejected the bid from APAC for failure to comply with bid laws by not including the reciprocity laws of their home state with their bid.

Supervisor Medlin asked if the optional roads were a part of the total bid. Mr. Swims stated they are. He said the bidders gave their bid knowing if the County did not want to spend the total amount, they could cut some or all of the 10 optional roads from the contract. He stated the bid tab reflected the grand total including options. Mr. Swims reminded the Board the budget was originally \$3 million and they took some from slurry seal to make it \$3.2 million. He said they then increased the budget again because of cost concerns. He stated this was about \$96,000 over the original budget, but under the new budget.

Supervisor Russell asked if the County has used Double T before. Mr. Swims said they have not. Mrs. McLeod stated Double T is located in Marshall County. Mr. Swims stated they have done some big jobs in DeSoto County. Supervisor Medlin said they did Byhalia Road and Red Banks Road on the MPO last year.

Mrs. McLeod stated that if approved, Double T will get a notice to proceed and the County will get performance bonds and insurance documentation.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to award the Hot Mix Asphalt Overlay on Various Roads to Double T Construction as recommended.

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>

BIDDER	TOTAL BID	
Double T Construction	\$ 3,323,750.55	
Lehman Roberts	\$ 3,442,740.12	
Standard Construction	\$ 4,200,629.20	
APAC-TN	\$ 3,666,906.50	
RECOMMENDATION: Award Double T Construction. APAC-TN bid must be rejected for failure to comply with Miss. Code. Ann. Section 31-3-21(3) regarding reciprocity preference laws.		

See Exhibit J.4.c.

d. Approve Contract with Double T Construction

Mrs. McLeod stated Mr. Nowak reviewed the standard contract before going out to bid. She stated Double T has signed the contract and requested the Board President sign as well.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the contract with Double T Construction 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 J.4.d.

5. Office of Finance & Accounting

a. Preliminary Inventory Dispositions – Circuit Court Administrator, Extension Service

Inventory Clerk Hunter Pettigrew stated he had 2 preliminary inventory dispositions. He stated the Extension Service wanted to dispose of some old laptops that are not supported, a broken GPS, and a broken weed eater.

Supervisor Medlin asked if the County bought the laptops. Mr. Pettigrew stated they were donated from Mississippi State.

Mr. Pettigrew stated Circuit Court had a broken I-pad and was not repairable.

These items were voted on in conjunction with J.5.b.

See Exhibit J.5.a.

b. Preliminary/Final Inventory Dispositions – Sheriff’s Department

Mr. Pettigrew stated a Sheriff’s Department 2013 Tahoe was totaled and he requested approval to send the title to the insurance company.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the preliminary inventory dispositions from the Extension Service and Circuit Court as well as the preliminary/final inventory disposition for the Sheriff’s department 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 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 J.5.b.

c. Motor Vehicle Rental Tax Diversion

Mrs. Freeze stated this money is received from the State and requested authority to issue checks based on the diversion. She stated the diversion is based on the percentage of millages. Mrs. Freeze stated the total check was \$463,866.32.

Supervisor Russell asked why the Town of Walls was not on the disbursement list. Mrs. Freeze stated they do not have any businesses that rent vehicles.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to approve the motor vehicle rental tax diversions as presented 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 J.5.c.

d. Interfund Transfer Request and Budget Amendment – Postage

Mrs. Freeze stated this transfer was necessary to cover the increased postage for mailing car tags.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve the interfund transfer request and budget amendment for increased postage rates for mailing car tags.

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 J.5.d.

e. Claims Docket

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

Supervisor Medlin asked about the following claims:

Page 75 – Leaf Blower – The invoice showed this was a backpack blower for parks maintenance.
Page 69 – Rubbish Pit – Mr. Laughter said Olive Branch has started using Railroad Avenue unless they are right by the Sandidge Road pit.

Supervisor Gardner asked about the following claims:

Page 12 – Prewett – Supervisor Gardner asked how much the total bill was. Mr. Nowak stated around \$6,000. Supervisor Gardner asked if they could ask Mr. Prewett for reimbursement. Supervisor Russell said they would have to ask everyone else.
Page 18 – Southern Pipe & Supply – Mr. Jarman stated Facilities replaced the old septic tank at Ingrams Mill as it was not up to code.
Page 18 – Tomco – Mr. Jarman stated that was the porch and handicap access at Ingrams Mill.
Page 22 – Kavin Skeen – Private Investigator - The paperwork showed this was a Judge’s order for a private investigator.
Page 32 – Grizzlies tickets – Mr. Riley stated that money came from a youth mentor grant from the Community Foundation and he bought the tickets under a group rate. Mrs. Freeze stated the youth mentor program has to submit a plan through the Community Foundation and they approve it, and this is part of the plan. She stated the director reports to Judge Treadway. Mrs. Freeze said they money has been sitting for some time and Judge Treadway is trying to find resources for the kids through Youth Court. She stated the director is an Ole Miss student and she has done a lot with the program trying to bring it back. The Board said they would like to know why the money cannot just go through the Community Foundation and not the County. Supervisor Caldwell said she worried about insurance and legalities.
Supervisor Medlin asked if the Grizzlies would donate the tickets. Mr. Riley said he asked about that. He said he has an email from the Community Foundation giving permission to use the funds and they have ongoing conversations with them about any purchases. He said Ms. Joy is over the mentoring program and she is doing a program report. Mr. Riley said they money has been in the budget since September 2016. Mrs. Freeze said they are really trying to use the money from this fund for the youth mentoring program.
Page 33 – Powerdms – Mr. Wicker stated this is the system used for training and accreditation software. He said they have to purchase a license for each subscriber and all the deputies can log in and complete training. He stated they just purchased this last year.
Page 64 – Wal Mart – flex funds – Mrs. Freeze stated Federal grants have to give approval before money is spent. Mr. Nowak stated approval from SAMSHA makes the purchase valid. Mr. Riley said 271.26 was for incentives for therapy programs and \$205.88 was where they helped a family at Christmas.
Page 73 – Margaritaville – Mr. Swims & Mr. Young are staying there for MAS. There is a \$15 difference in price from the Beau Rivage.
Page 75 – Chainsaw - \$1151 - Mr. Swims stated it replaced one that was run over by a track hoe.

Supervisor Bill Russell had no questions.

Supervisor Lee Caldwell had no questions.

Supervisor Michael Lee asked about the following claims:

Page 66 – Ingrams Mill Park – Kelly Septic – Ingrams Mill Park – Mr. Laughter said that is for 2 months. He said they just received the bill.

Mrs. Freeze stated Procurement is researching a contract with the Road Department & Heritage Crystal Clean for \$355.52 and they are removing it from page 73 of the claims docket. She stated they will pull that check and void it to wait for further instruction.

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 Michael Lee seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Chief Financial Officer except for Heritage Crystal Clean for \$355.52 on page 73 and Memphis Basketball for \$603.00 on page 32.

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 J.5.e.

1) Explanation of Region IV Invoice

Supervisor Gardner asked about SAMSHA. Mrs. Freeze stated they are the federal mental health grant regulators.

See Exhibit J.5.e.1.

6. Grant Administration

a. Request Approval of Modification to 405D FY19 Alcohol & Drug Impaired Driving Grant and Authorize Board President to Sign

Grant Administrator Bryan Riley stated the Board had already approved the modification, and the final paperwork is ready for the Board President to sign.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the modification of the 405D FY19 Alcohol & Drug Impaired Driving grant as presented and authorize the Board President to sign the necessary documents.

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 J.6.a.

b. Request to Close Out FY19 Justice Assistance Grant for Local Law Enforcement 17LB1171 and Board President to Sign

Mr. Riley stated the Sheriff's Department bought binoculars for the SWAT team and the grant reimbursed \$3,112.50. He stated the County's match was \$1,037.50. Mr. Riley said the grant can now be closed.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the close out of Grant 17LB1171 Justice Assistance Grant as presented and authorize the Board President to sign the necessary documents.

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 J.6.b.

c. Request to Apply for Solid Waste Assistance Grant for Waste Tire Recycling and Authorize Board President to Sign

Mr. Riley stated this is a 2 year grant and they would like to apply for \$115,000 with no County match. He stated it is an “apply as needed” grant. Mr. Riley said the County has handled over 600 tons in waste tires since they last applied. Mr. Ray Laughter said the grant is being used more now than it ever has.

Supervisor Bill Russell made the motion and Supervisor Michael Lee seconded the motion to approve the request to apply for Solid Waste Assistance Grant for Waste Tire Recycling in the amount of \$115,000 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 J.6.c.

d. Request Approval to Accept Check from Entergy Grant for Earth Day and Authorize the Clerk to Deposit the Check

Mr. Riley requested authority to accept a check from Entergy in the amount of \$2,000 for Earth Day and authority for the clerk to deposit the check.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to authorize the acceptance of the \$2,000 from Entergy for Earth Day and authorize the clerk to deposit 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 J.6.d.

7. Contract Administration

a. Sheriff’s Department – Securus Technologies – 3rd Amendment to Master Services Agreement

Commander Chad Wicker stated this is an addendum to allow MP4 inmate orientation videos on the Sheriff’s Department video visitation system. It will also allow for other Sheriff’s Department approved videos to be viewed by inmates and visitors to the kiosks.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve the addendum to the Securus Technologies contract and authorize the Board President to sign the necessary documents.

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 J.7.a.

b. Facilities – Proven Pest – Signature Required

Mrs. McLeod stated this is a renewal contract for spraying 35 buildings at \$1,746.43 per month.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the contract with Proven Pest as presented 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 J.7.b.

c. IT – Civic Plus – Signature Required

Mrs. McLeod stated this is the annual support, maintenance, and hosting fee for the County’s website and the cost is \$12,481 per year.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the contract with Civic Plus as presented 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 J.7.c.

8. Road Department

a. Road Register Change

Road Manager Andy Swims presented the changed road register with the removal of Cub Lake Road East of 301.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the road register change taking off Cub Lake Road east of 301 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 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 J.8.a.

b. Finding of Fact – 2377 Ross Road

Road Manager Andy Swims stated that the roadside ditch turns to go into an under-road culvert and the water is eating away at the turn and exposing underground utilities. He stated the work will go slightly off the right of way. Mr. Swims stated the exposed utilities present a health and safety hazard to the public.

Supervisor Michael Lee made a motion and Supervisor Jessie Medlin seconded the motion to

authorize the work to fix the erosion in the ditch at 2377 Ross Road that has exposed underground utilities and presents a health and safety issue to the public.

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 J.8.b.

c. Utility Permit Form

Road Manager Andy Swims stated that when dealing with the issue of the subdivision wanting to put utilities in the roadway, they started working to get something for the City of Southaven to sign. He said they worked with the current Utility Permit form and updated it. Mr. Swims noted the main updates are to Section L. Mr. Nowak stated they also added language in several places, and all the changes being made came out of the County's ordinances. He stated it put all the key information in one place.

Supervisor Jessie Medlin made a motion and Supervisor Bill Russell seconded the motion to approve the revised Utility Permit form, make the form a part of the permit process, and send a copy to the utility companies.

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 J.8.c.

d. NRCS Project Extension

Mr. Swims stated the NRCS projects extension was granted and he needed the Board President's signature on the approved extensions from NRCS.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to authorize the Board President to sign the NRCS projects extension 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>

9. Chancery Clerk – Refund of Settlement

Chancery Clerk Misty Heffner stated someone from Madison County bought land from the Secretary of State and, after coming and looking at the land, deemed it not buildable and requested their money back. She said the Secretary of State agreed to cancel the tax patent issued to the landowners and asked for the money to be refunded to the purchasers, Sherry & Harthone Booker, Jr. Mrs. Heffner stated the County's portion is \$104.16.

Mrs. Lynchard asked if this was an extension of Sass Muni. Mrs. Heffner said it is basically the same concept and she feels like it might come up again. She said the buyers are not doing their

homework before buying and are coming back and asking for their money. She stated these properties don't have buyers during the tax sale and they go to the Secretary of State's office.

Supervisor Michael Lee made the motion and Supervisor Jessie Medlin seconded the motion to refund \$104.16 to Sherry & Harthone Booker, Jr. as requested by the Secretary of State's office.

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 J.9.

10. Chancery Clerk – Return Excess Fees to County

Mrs. Heffner stated, even after all the expenses incurred by the Chancery Clerk's office this year, she was able to turn over \$167,253.84 in excess fees. Mrs. Heffner stated she budgeted \$100,000.

Supervisor Michael Lee made the motion and Supervisor Jessie Medlin seconded the motion to accept the Chancery Clerk's excess fees in the amount of \$167,253.84 and make it a part of the Board minutes.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor 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 J.10.

11. Animal Shelter – Standard Operating Procedures Manual

Mrs. Lynchard stated the Animal Shelter adopted Policy & Procedures for the shelter several years ago. She said it has been updated through the years as needed and needs to come back to the Board for approval. Mrs. Mock stated the manual outlines how they do things. She stated the cleaning schedule has changed a little and they added a cleaning checklist. Mrs. Mock stated they also added a money handling policy. Supervisor Russell stated he would like to know what the changes were specifically. Mrs. Mock said she will compare to the old manual and get that information.

Supervisor Lee Caldwell stated she understood that Senator Blackwell had gotten \$50,000 approved in funding for the Animal Shelter's air conditioner. Mrs. Lynchard said if approved, the legislature would still have to appropriate the money. She said information on the funding should be coming soon. Mrs. Mock said she had no prior knowledge of this happening and was very surprised. Mr. Jarman noted the cost to air condition the facility was close to \$100,000 when he looked at the numbers previously. He stated he will probably have to hire a mechanical engineer since the building was not originally designed for air conditioning.

See Exhibit J.11.

12. Discussion on Good Friday Holiday

Mrs. Lynchard reminded the Board this is a discretionary holiday that the County has chosen to swap for the State approved Confederate Memorial Day.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to

recognize Friday, April 19 as a holiday and all County offices will be closed.

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>

13. Legal Publication for County Expenses

Mrs. Lynchard said the State auditors flagged Lafayette County for their claims publication. She stated the auditors wanted a bigger description published. She stated the MS Code says if the newspaper charges more than \$175 for the ad, you can post in the Courthouse. Mrs. Hanks said the newspaper was going to charge \$473, but the owner of the paper said they would charge \$175. She stated that the Finance Department has always printed funds and totals, but this would make them post every expense. She said it would be quite a lot to print. Supervisor Caldwell said the Board needs to let the public know this was brought up by the State as it seems excessive.

See Exhibit J.13.

14. Circuit Court Furniture Purchase

Mrs. Lynchard said the Circuit Clerk did not get what she expected with her new furniture purchase. She said Mr. Jarman has tried to resolve the situation and make some modifications, but there is still a cost involved. She stated Mr. Jarman has looked at his budget and found the money for the furniture.

Mr. Jarman stated the wall in the Circuit Clerk’s office was not as extensive as he thought it would be so he had extra money there. He asked to move \$1,000 from architect fees to furniture in order to make modification to make the furniture what the Circuit Clerk expected.

Supervisor Medlin said department heads and elected officials need to be sure of what they are ordering. Mr. Jarman said too many people were involved in the ordering and he should have sent the specs to Procurement and had them order it all. He stated they will have about 12 panels more than they need, but Facilities will keep them and they can be used somewhere later.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve the \$1,000 budget amendment as presented by Mr. Jarman.

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 J.14.

15. Request for Palmer Home to Use Parking Lot on Saturday, April 13

Mr. Jarman stated Palmer Home has asked to use the Sheriff’s visitation parking lot and Chancery parking lot for the Mud Bug Festival and he asked them to bring it to the Board for approval.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to allow the use of the parking lots for the Palmer Home’s festival.

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>

16. Approval to Travel – Washington Congressional Briefing – Board of Supervisors, Board Attorney, Road Manager, County Administrator

Mrs. Lynchard stated the Washington Congressional Briefing was not on the Board’s list of approved travel at the first of the year and she, Mr. Swims, Mr. Barber and several supervisors were planning to travel on April 10-12, 2019.

Supervisor Mark Gardner made the motion and Supervisor Michael Lee seconded the motion to approve travel to the Washington Congressional Briefing April 10-12, 2019 for the Board of Supervisors, Road Manager, County Administrator and Board Attorney representative.

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>

17. Ambu-bus

EMA Director Chief Chris Olson stated they have an extra ambu bus kit. Chief Olson said Olive Branch called and they have a long bus; and they have requested use of the ambu bus kit for that bus. He stated they are waiting for approval from the Health Department. Mr. Nowak stated there will have to be an interlocal agreement if approved.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to approve the transfer of the ambu bus kit and authorize the firm of Smith, Phillips, Mitchell, Scott & Nowak to draft an intergovernmental transfer to the City of Olive Branch.

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>

18. Heartland Food Pantry – Add as Emergency Food Source

Deputy EMA Chief Josh Harper stated Ms. Connie James from the Heartland Food Pantry requested to enter into an MOU with EMA to use their food pantry in the event of a disaster. Supervisor Russell asked why the County would need an MOU. Chief Olson stated when there is an event and citizens are displaced, EMA can lean on the state for funding and help. He stated sometimes there is gap in meeting the criteria and having an MOU with Heartland would be another tool in the EMA toolbox to help the citizens.

Supervisor Caldwell stated Heartland works with all the food pantries in the area as kind of a hub. Chief Olson agreed and said they could also accept resources from retailers and funnel through to the County. He said making one phone call to Heartland would allow them to then spread out to the other food pantries in the area. Deputy Chief Harper said they toured Heartland’s facility and they are very organized. Chief Olson said Heartland reaches beyond DeSoto County to help people.

Supervisor Caldwell noted with the MOU in place, the USDA can give food directly to

Heartland also. Chief Olson said the MOU would allow EMA to call on Heartland for food just like they call on the Red Cross for shelter. Mrs. Lynchard stated having a formal plan in place helps with the disaster plan.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to authorize the firm of Smith, Phillips, Mitchell, Scott & Nowak to work on an MOU with Heartland Hands and authorize Deputy Chief Harper to draft a letter asking for support for disaster aid.

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>

19. TIF – Tax Collector

Mrs. Lynchard stated the County settled a TIF to the City of Southaven for about 5 years at 100%, rather than the required 50%, and then the settlements stopped. The TIF payments were to last 15 years, or until the bonds for the project were paid off, whichever occurred first. She said the Tax Collector's office, Administration, and Finance have been working to try and come up with an amount the County owes Southaven. She said the City of Southaven sent an email showing \$1,305,451 and between the records she pulled and what the Tax Collector came up with; they are comfortable with that number. She stated the TIF is for the Southaven Town Center. Mrs. Lynchard stated the County will owe more in 2 years, but they will have to wait for the assessments to see how much.

Tax Collector, Joey Treadway said the money was collected, but for some reason in 2012 it was not settled to the City; nor has it been since then. Mr. Treadway said that is the year his longtime bookkeeper left and when they changed software. He said he does not know how his office, the State, and the City of Southaven all did not realize it was not paid. Mr. Treadway requested Board approval to pay the \$1,305,451 to the City of Southaven. Mrs. Lynchard stated the Finance Department will have to determine the correct fund to pay the TIF.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve a budget amendment for \$1,305,451 out of the determined correct fund to pay the TIF to the City of Southaven 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>

K. EXECUTIVE

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

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to recess the Board meeting until Monday, April 15, 2019 at 9 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 6th day of May, 2019, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Lee Caldwell, President
DeSoto County Board of Supervisors