

**DESOTO COUNTY BOARD OF SUPERVISORS**  
**BOARD MEETING MINUTES**  
**DISTRICT TWO SUPERVISOR MARK GARDNER, PRESIDING**  
**April 19, 2021**

**A. CALL TO ORDER**

The April 19, 2021 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Mark Gardner, Board President.

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

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

**B. INVOCATION**

Supervisor Lee Caldwell offered the invocation.

**C. PLEDGE OF ALLEGIANCE**

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

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

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

- a. Summer Work Program for Youth (Old, G.7.)
- b. EMS – Request to Serve on State Committee (New, H.5.b.)
- c. Human Resources – Meritain Health Plan Document & Summary Plan Description – Signature Required (New, H.21.f.)
- d. Stormwater Compliance – The Orchards Update (H.26.)

**2. Board Attorney Tony Nowak requested to add the following:**

- a. Board Resolution for Offers to Bryant and Garcia – Signature Required – (Consent, F.9.)
- b. Consideration for Executive Session – Litigation – Myfis v. DeSoto County (Executive, J.3.)

**3. Sheriff Bill Rasco requested to add the following:**

- a. Discussion on Hiring Five New People (New, H.27.)

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

- a. Insurance Matter – (New, H.28.)

**5. EMA Deputy Chief Josh Harper requested to delete the following:**

- a. Outdoor Warning Sirens (H.7.)

**6. County Administrator Vanessa Lynchard requested to delete the following:**

- a. Business Investment Incentives – Helen of Troy (Free Port Warehouse) (New, H.4.b.1. & 2.)
- b. MOU with MS State University (Attorney has not reviewed) (New, H.10.)

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

The motion passed by a vote as follows:

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

## **E. CITIZEN REMARKS & PRESENTATIONS**

### **1. Access to First Regional Library**

Mr. Jeremy Nabors was present with his family to address the Board. Supervisor Lee stated he was contacted by an officer who was confused about what to do when the Nabors family came to the library and refused to wear masks. He stated he put the officer in contact with the County Administrator. He asked Mr. Nabors to relate what happened.

Mr. Nabors stated he and his family view the public library as a vital service as they homeschool their children. He said when they tried to enter the library last week, they were told they all had to wear masks. Mr. Nabors said he informed the worker that one of his children has a medical condition and cannot wear a mask; but they would be happy to social distance while in the library. He stated their only option offered was curbside service. Mr. Nabors stated they do not usually go into the library to pick specific books; but rather choose to browse the shelves. He stated the library supervisor threatened to call the police if he and his family did not leave. Mr. Nabors stated they chose to stay and the police were called. He said he asked the library worker if someone was seen touching their mask if they were required to wash their hands and get a new, sanitary mask; and the worker said they were not.

Mr. Nabors stated he has done a lot of research regarding masks and found that every state that has removed the mask mandates has decreased their number of COVID cases; while every country that did not have mask mandates did as well or better than countries that did. He noted that Gov. Reeves said the 7-day average was down after he removed Mississippi's mask mandate and that data does not play politics. Mr. Nabors also noted a Stanford University study that found masks can actually be harmful.

Mr. Nabors said he believes arbitrary rules like wearing masks or only using curbside service has no place in our libraries or our society and that curbside service is no compromise. He suggested if the library system cannot drop this mandate or have other consideration; maybe the Board should consider cutting some of their funding.

Supervisor Gardner asked if the policeman that responded was wearing a mask. Mr. Nabors said he was not. Supervisor Gardner asked if the policeman was asked to leave the building. Mr. Nabors said he was not.

Supervisor Caldwell asked if the County had any options for public buildings. Mr. Nowak stated Executive Order 1491 was for libraries; and it says they should encourage wearing masks. Supervisor Caldwell said she thought they needed to contact the Governor's counsel and get clarification. She said the Board needs to go deeper than the local public library.

Supervisor Medlin informed Mr. Nabors that the Board had the Interim Library Director in a few meetings ago because the Board found out the libraries had been closing. He agreed that in order to get their attention the budget might have to be affected if they are going to not allow people to use the facilities. Mr. Nabors stated they know a lot of other homeschool families that do not want to use the library because of the way his family was treated. He stated the alternative was not suggested; it was insisted.

Supervisor Gardner said the Board of Supervisors does not have direct oversight with the library; and he apologized that this happened to the Nabors family. He said the Board would get in touch with the Library Director. Mrs. Lynchard stated she had contact information to the Regional Library Board and the Interim Director. She said she talked with them and they felt this was not the forum to discuss the issue.

Supervisor Lee asked Mr. Nabors is they got in the door. Mr. Nabors stated they did and they stood there until the police came. Supervisor Lee told Mr. Nabors he had the Board's attention.

Supervisor Denison thanked Mr. Nabors for stating his opinion and said he, too, feels that there is as much proof that masks don't work as that they do. He commended Mr. Nabors for having the courage to stand up for his beliefs.

Supervisor Caldwell thanked Mr. Nabors for being a great representative for his children in teaching them it is better to come face-to-face to address a problem with the facts and not turn to social media.

Later in the meeting:

Supervisor Caldwell stated the Governor's Counsel stated 1491 has been aggregated. She said he is going to send the Executive Order that cancelled it and it needs to be shared with Derrick Biglane. She said the attorney also said 1491 did not mandate wearing a mask.

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

## **F. CONSENT AGENDA**

### **1. Office of Finance & Accounting**

#### **a. Budget Amendments – MS Code 19-11-19 – Animal Services, Insurance Proceeds/Patrol & Law Enforcement, Grant Revenue/Patrol & Law Enforcement, Sales Income/Patrol & Law Enforcement, Excess Earnings/Ending Cash, Appointed Attorneys/Ending Cash, Austin Road Project/Bridge Fund, State Aid/New Projects, Sheriffs ICAC Building Addition/Ending Cash, Capital Projects/Adult Drug Court & Ending Cash, Sheriff Department, Sheriff Canteen Fund, Road Projects/County Funds, GO Bond 2020 Project Funds**

Fourteen (14) budget amendment requests were presented. Several of these amendments are standard amendments several other amendments were presented for approval:

Amendment #'s:

3 – Originally when the fiscal year 2021 budget was adopted we had several grant applications pending and did not know the status of these grants. The only Sheriff's department grant revenue we included in our budget was for the COPS hiring grant. We have recently received an equipment grant from the Department of Public Safety for additional Tasers as well as the second round of the OD2A (opioid) program grant. This amendment adjusts the revenue and expense line items accordingly.

4 – The Sheriff's department recently sold at auction surplus equipment that was mounted on various surplus vehicles. This amendment increases the revenue account and increases the expense account to assist with the installation of the necessary equipment in the new patrol vehicles.

5 – The fiscal year 2021 adopted budget amounts for the Circuit and Chancery Clerks excess earnings do not accurately reflect what was submitted during the last Board meeting. This amendment increases those revenue accounts as well as places the excess in fund balance (ending cash) for you to be able to decide at a later date how you will allocate these excess earnings.

6 - Departmental budget 131, Appointed Attorneys, is a budget that starts the fiscal year with a small amount due to the unknown of how the year will progress. This particular fiscal year we have incurred additional contractual service expenses from Bridge and Watson. The only place to move funds from for this budget is ending cash.

10 – The capital project fund # 380 has recognized additional interest income for this fiscal year over what was originally budgeted. This request is to pay any necessary adult drug court renovation project legal fees from the additional interest earnings as well as place the remaining in ending cash to be utilized as you see necessary for other projects.

12 – This budget amendment establishes a Chaplain position for the jail utilizing Sheriff Canteen Funds. There will be a necessary future amendment for the workers compensation portion of this position once this is filled. This amendment is assuming Canteen funds can be utilized for this type of service / expense.

13 & 14 – These project budget amendments are simply being requested in order to utilize bond money prior to County fund balance. The Swinnea Road project is not moving as quickly as the Nail Road project and this amendment will allow for the reclassification of invoices as well as project amounts within the two funds.

		Fund/Department #		001 / 445			
<b>(1)</b>	<b>Animal Services</b>						
<b>ACCT #</b>	<b>LINE ITEM</b>	<b>YEAR TO DATE</b>	<b>ADOPTED BUDGET</b>	<b>INCREASE</b>	<b>DECREASE</b>	<b>REVISED BUDGET</b>	
	<b>REVENUE</b>						
001-000-370	Animal Shelter Donations	\$ 2,730.00	\$ 2,410	\$ 320		\$ 2,730	
	<b>EXPENSE</b>						
001-445-698	Canine Supplies - Food	\$ 5,839.93	\$ 21,095	\$ 320		\$ 21,415	
	<b>TOTALS</b>			<b>OVERALL INCREASE</b>	<b>\$320</b>		
<b>Reason for Request:</b>	Increase revenue and increase expenses to account for recent restricted donations given to the animal shelter.						
		Fund/Department #		001 / 202			
<b>(2)</b>	<b>Insurance Proceeds / Patrol and Law Enforcement</b>						
<b>ACCT #</b>	<b>LINE ITEM</b>	<b>YEAR TO DATE</b>	<b>ADOPTED BUDGET</b>	<b>INCREASE</b>	<b>DECREASE</b>	<b>REVISED BUDGET</b>	
	<b>REVENUE</b>						
001-000-376	Insurance Proceeds	\$ 139,277.09	\$ 147,102	\$ 10,128		\$ 157,230	
	<b>EXPENSE</b>						
001-202-915	Vehicles-Above \$5,000	\$ 542,076.50	\$ 610,258	\$ 10,128		\$ 620,386	
	<b>TOTALS</b>			<b>OVERALL INCREASE</b>	<b>\$10,128</b>		
<b>Reason for Request:</b>	Increase revenue and increase expense to account for 2016 Ford Taurus Total Loss vin # 5343 (\$10,128)						
		Fund/Department #		001 / 202			
<b>(3)</b>	<b>Grant Revenue / Patrol and Law Enforcement</b>						
<b>ACCT #</b>	<b>LINE ITEM</b>	<b>YEAR TO DATE</b>	<b>ADOPTED BUDGET</b>	<b>INCREASE</b>	<b>DECREASE</b>	<b>REVISED BUDGET</b>	
	<b>REVENUE</b>						
001-000-244	Sheriff Grant Rev/JAG Funds - Equipment Grant	\$ 53,981.12	\$ 285,731	\$ 3,675			
	Sheriff Grant Rev/JAG Funds - OD2A Pgm Grant			\$ 8,341		\$ 297,747	
	<b>EXPENSE</b>						
001-200-924	Computer Hardware & Software	\$ 20,153.60	\$ 27,500	\$ 8,341		\$ 35,841	
001-202-921	Other Cap Outlay Under \$5,000	\$ 38,576.47	\$ 157,089	\$ 3,675		\$ 160,764	
	<b>TOTALS</b>			<b>OVERALL INCREASE</b>	<b>\$12,016</b>		
<b>Reason for Request:</b>	Increase revenue and increase expense to account for Dept of Public Safety equipment grant not originally budgeted and OD2A program grant not originally budgeted.						
		Fund/Department #		001 / 202			
<b>(4)</b>	<b>Sales Income / Patrol and Law Enforcement</b>						
<b>ACCT #</b>	<b>LINE ITEM</b>	<b>YEAR TO DATE</b>	<b>ADOPTED BUDGET</b>	<b>INCREASE</b>	<b>DECREASE</b>	<b>REVISED BUDGET</b>	
	<b>REVENUE</b>						
001-000-336	Sales Income	\$ 77,362.56	\$ 250,000	\$ 39,455		\$ 289,455	
	<b>EXPENSE</b>						
001-202-921	Other Cap Outlay Under \$5,000	\$ 38,576.47	\$ 160,764	\$ 39,455		\$ 200,219	
	<b>TOTALS</b>			<b>OVERALL INCREASE</b>	<b>\$39,455</b>		
<b>Reason for Request:</b>	Increase revenue and increase expense to account for sales income of surplus equipment from Crenshaw Auctions						
		Fund/Department #		001 / 999			
<b>(5)</b>	<b>Excess Earnings / Ending Cash</b>						
<b>ACCT #</b>	<b>LINE ITEM</b>	<b>YEAR TO DATE</b>	<b>ADOPTED BUDGET</b>	<b>INCREASE</b>	<b>DECREASE</b>	<b>REVISED BUDGET</b>	
	<b>REVENUE</b>						
001-000-353	Circuit Clerk's Excess Earnings	\$ 264,705.62	\$ 215,000	\$ 49,705		\$ 264,705	
001-000-354	Chancery Clerk's Excess Earnings	\$ 858,805.59	\$ 175,000	\$ 683,805		\$ 858,805	
	<b>EXPENSE</b>						
001-999-999	Ending Cash	\$ -	\$ 32,828,684	\$ 733,510		\$ 33,562,194	
	<b>TOTALS</b>			<b>OVERALL INCREASE</b>	<b>\$733,510</b>		
<b>Reason for Request:</b>	Increase revenue and increase expense to account for increase in excess earnings. BOS to determine where to utilize excess earnings during future Board meeting.						

		Fund/Department #				
(6)	Appointed Attorneys / Ending Cash	001 / 131 & 999				
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
001-131-594	Other Contractual Services	\$ 17,024.89	\$ 17,025	\$ 27,885		\$ 44,910
001-999-999	Ending Cash	\$ -	\$ 33,562,194		\$ 27,885	\$ 33,534,309
<b>TOTALS</b>			\$ 33,579,219	\$ 27,885	\$ 27,885	\$ 33,579,219

Reason for Request: Increase contractual services to cover upcoming invoices from Bridge and Watson for Olive Branch annexation services.

		Fund/Department #				
(7)	Austin Road Project - Bridge Fund	160 / 393				
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
160-393-555	Engineering Fees	\$ -	\$ -	\$ 200,000		\$ 200,000
160-999-999	Ending Cash	\$ -	\$ 14,537,280		\$ 200,000	\$ 14,337,280
<b>TOTALS</b>			\$ 14,537,280	\$ 200,000	\$ 200,000	\$ 14,537,280

Reason for Request: To account for BOS approved LSBP project for Austin Road and the County's portion of project cost.

		Fund/Department #				
(8)	State Aid - New Projects	001 / 393 & 394				
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
<b>REVENUE</b>						
170-000-263	Reimb for State Aid Roads	\$ -	\$ 291,300	\$ 446,400		\$ 737,700
<b>EXPENSE</b>						
170-393-555	Engineering Fees - Austin Road Proj	\$ -	\$ -	\$ 156,000		\$ 156,000
170-394-555	Engineering Fees - Getwell/Robertson Gin Proj	\$ -	\$ -	\$ 290,400		\$ 290,400
<b>TOTALS</b>				<b>OVERALL INCREASE</b>	<b>\$446,400</b>	

Reason for Request: Increase revenue and increase expense to account for new State Aid Road projects engineering fees. These expenses will be paid then the County will be reimbursed.

		Fund/Department #				
(9)	Sheriffs ICAC Building Addition / Ending Cash	330 / 226 & 999				
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
330-226-902	Buildings over 50K	\$ -	\$ 576,150	\$ 123,850		\$ 700,000
330-999-999	Ending Cash	\$ -	\$ 227,175		\$ 123,850	\$ 103,325
<b>TOTALS</b>			\$ 803,325	\$ 123,850	\$ 123,850	\$ 803,325

Reason for Request: Reallocate funds to line item from ending cash to account for increase in construction cost.

		Fund/Department #				
(10)	Capital Projects / Adult Drug Court & Ending Cash	380 / 244 & 999				
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
<b>REVENUE</b>						
380-000-330	Interest Income	\$ 167,316.37	\$ 100,000	\$ 75,000		\$ 175,000
<b>EXPENSE</b>						
380-244-550	ADC Project Legal Fees	\$ 910.00	\$ 910	\$ 90		\$ 1,000
380-244-902	ADC Buildings Over 50K	\$ -	\$ 180,986	\$ 910		\$ 181,896
380-999-999	Cap Projects - Ending Cash	\$ -	\$ 105,605	\$ 74,000		\$ 179,605
<b>TOTALS</b>				<b>OVERALL INCREASE</b>	<b>\$75,000</b>	

Reason for Request: Increase revenue and increase expense and ending cash to account for legal fees paid for adult drug court project originally out of the construction portion of the project and to place interest overage in ending cash for future project needs.

		Fund/Department #				
(11)	Sheriff Department	001 / 200				
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
<b>Sheriff Administration</b>						
001-200-924	Computer Hardware & Software	\$ 20,153.60	\$ 35,841	\$ 400		\$ 36,241
001-200-501	Postage	\$ 1,100.00	\$ 3,630		\$ 400	\$ 3,230
<b>TOTALS</b>			\$ 39,471	\$ 400	\$ 400	\$ 39,471

Reason for Request: Reallocate funds to line items where necessary.

		Fund/Department #	033 / 221			
(12)	Sheriff Canteen Fund					
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
033-221-439	Other Service Employees - Chaplin's Inmate Profit Acct	\$ -	\$ -	\$ 22,341		\$ 22,341
033-221-465	State Retirement Matching	\$ -	\$ -	\$ 2,783		\$ 2,783
033-221-466	Social Security Matching	\$ -	\$ -	\$ 1,709		\$ 1,709
033-221-468	Group Insurance	\$ -	\$ -	\$ 3,729		\$ 3,729
033-999-999	Ending Cash	\$ -	\$ 361,600		\$ 30,562	\$ 331,038
TOTALS			\$ 361,600	\$ 30,562	\$ 30,562	\$ 361,600
Reason for Request:	Allocate funds from ending cash (inmate profit account) for chaplain services at jail.					
		Fund/Department #	324 / 379 & 389			
(13)	Road Projects - County Funds					
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
Swinnea Road Project						
324-379-555	Engineering Fees	\$ -	\$ -	\$ 16,542		\$ 16,542
324-379-912	Roads	\$ -	\$ 276,194	\$ 1,400,135		\$ 1,676,329
324-379-914	Property Easements / ROW	\$ -	\$ -	\$ 3,380		\$ 3,380
Nail Road - Hacks to Polk Ln						
324-389-912	Roads	\$ 63,469.20	\$ 3,600,000		\$ 1,420,057	\$ 2,179,943
TOTALS			\$ 3,876,194	\$ 1,420,057	\$ 1,420,057	\$ 3,876,194
Reason for Request:	Reallocate Nail Road project funds to Swinnea Road project due to timing of project finish date and in order to utilize bond funds first on most active project. As well as to reclass paid invoices to bond fund.					
		Fund/Department #	330 / 379 & 389			
(14)	GO Bond 2020 Project Funds					
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
Swinnea Road Project						
330-379-555	Engineering Fees	\$ 16,541.96	\$ 16,542		\$ 16,542	\$ -
330-379-912	Roads	\$ -	\$ 1,400,127		\$ 1,400,127	\$ -
330-379-914	Property Easements / ROW	\$ 3,379.60	\$ 3,388		\$ 3,388	\$ -
Nail Road - Hacks to Polk Ln						
330-389-555	Engineering Fees	\$ 184,270.00	\$ 184,270	\$ 69,695		\$ 253,965
330-389-912	Roads	\$ 1,638,546.80	\$ 1,641,484	\$ 1,350,362		\$ 2,991,846
TOTALS			\$ 3,245,811	\$ 1,420,057	\$ 1,420,057	\$ 3,245,811
Reason for Request:	Reallocate Swinnea Road bond project funds to Nail Road project due to timing of project finish dates and in order to utilize bond funds first on most active project. As well as to reclass paid invoices on Swinnea road to project fund 324.					

**b. Final Inventory Dispositions - Sheriff's Department**

DEPT	SHERIFF'S DEPARTMENT			NRC = NON REPAIRABLE (COST)	K = THOUSANDS				DEPT	200
NAME:				NR = NON REPAIRABLE	H = HUNDREDS				LOC	
				DAS = DECLARE AS SURPLUS	D = DOLLARS					
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
43798	TASER X26	X00-745446	Broken/ nonre pairable	2014	9H	SO-ADMIN	04/05/21	M. Cowan		
46626	ZEBRA MOBILE PRINTER	XXRB164900401	Broken/ nonre pairable	2017	7H	SO-ADMIN	04/05/21	B. Forbert		
46630	ZEBRA MOBILE PRINTER	XXRB164900406	Broken/ nonre pairable	2017	7H	SO-ADMIN	04/05/21	B. Forbert		
42806	HP PRO PRINTER	VND3C07196	Broken/ nonre pairable	2013	2H	SO-ADMIN	04/05/21	B. Forbert		
36270	TASER GUN	X00121467	Broken/ nonre pairable	2005	8H	SO-ADMIN	04/05/21	M. Cowan		
42430	FITNESS TREADMILL	N/A	Broken/ nonre pairable	2012	4K	SO-GYM	04/05/21	Martinez		
38217	KENWOOD H/HRADIO	90300374	Broken/ nonre pairable	2007	5H	SAR	04/05/21	B. Forbert		
39020	KENWOOD H/HRADIO	90400720	Broken/ nonre pairable	2007	4H	SAR	04/05/21	B. Forbert		
32730	DELL INSPIRON LAPTOP	TW04E641128001B10948	Broken/ nonre pairable	2002	1K	SAR	04/05/21	B. Forbert		
45084	CRADLEPOINT INT CONNEC	MM150022500949	Broken/ nonre pairable	2015	7H	SO-ADMIN	04/05/21	B. Forbert		
48737	In Car Video System	1801S8HD110	Broken/ nonre pairable	2018	3K	SO-ADMIN	04/05/21	B. Forbert		
48739	In Car Video System	1801S8HD111	Broken/ nonre pairable	2018	3K	SO-ADMIN	04/05/21	B. Forbert		
48741	In Car Video System	1809808LE002	Broken/ nonre pairable	2018	3K	SO-ADMIN	04/05/21	B. Forbert		
48742	In Car Video System	1809S8HD0050	Broken/ nonre pairable	2018	3K	SO-ADMIN	04/05/21	B. Forbert		
48743	In Car Video System	1809S8HD0049	Broken/ nonre pairable	2018	3K	SO-ADMIN	04/05/21	B. Forbert		
12060	BRIGGS AND STRATTON GENERA	598 30101	Broken/ nonre pairable	1991	50D	SAR	04/05/21	Bigham		
12261	DAYTON GENERATOR \CRIME SC	1281709	Broken/ nonre pairable	1994	9H	SAR	04/05/21	Bigham		
31891	MOTOROLA TALKABOUT RADIC	6901BN1RVT	Broken/ nonre pairable	2002	25D	SAR	04/05/21	Bigham		
31892	MOTOROLA TALKABOUT RADIC	6901BN1ST2	Broken/ nonre pairable	2002	25D	SAR	04/05/21	Bigham		
31894	MOTOROLA TALKABOUT RADIC	6901BN1RZQ	Broken/ nonre pairable	2002	25D	SAR	04/05/21	Bigham		
31895	MOTOROLA TALKABOUT RADIC	6901BN1RQY	Broken/ nonre pairable	2002	25D	SAR	04/05/21	Bigham		

31896	MOTOROLA TALKABOUT RADIC	6901BN1SGV	Broken/nonre pairable	2002	25D	SAR	04/05/21	B. Forbert		
32067	GAS TANK DELIVERY SYS w/A#	NONE	Broken/nonre pairable	2002	17K	SAR	04/05/21	Bigham		
33797	CASCADE 6 BOTTLE SYSTEM	EMA BAY	Transfer to EMA per Bigham	2004	4K	SAR	04/05/21	Bigham		
35307	WINCH 8000 LB	F006MM0601	Broken/nonre pairable	2004	2K	SAR	04/05/21	Bigham		
35347	HOWARD NOTEBOOK M3N LAPT	35NP019885	Broken/nonre pairable	2004	2K	SAR	04/05/21	Bigham		
35350	HOWARD NOTEBOOK LAPTOP	34NP025730	Broken/nonre pairable	2004	2K	SAR	04/05/21	Bigham		
38216	KENWOOD H/H RADIO	90300376	Broken/nonre pairable	2007	5H	SAR	04/05/21	Bigham		
38740	HOMELITE GENERATOR	BJJ2140852	Broken/nonre pairable	2008	6H	SAR	04/05/21	Bigham		
40834	LIBERTY LIGHTBAR	LB118	Broken/nonre pairable	2010	1K	SAR	04/05/21	Bigham		
40851	BIGFOOT BOAT ENGINE	1C135172	Broken/nonre pairable	2010	5K	SAR	04/05/21	Bigham		
40852	BIGFOOT BOAT ENGINE	1C135173	Broken/nonre pairable	2010	5K	SAR	04/05/21	Bigham		
41045	K9 DEPLOYMENT HEAT ALERT	n/a	Broken/nonre pairable	2010	1K	SAR	04/05/21	Bigham		
44066	GARMIN RNO 655T	29W039868	Broken/nonre pairable	2015	5H	SAR	04/05/21	Bigham		
44068	GARMIN RNO 655T	29W039876	Broken/nonre pairable	2015	5H	SAR	04/05/21	Bigham		
44649	GARMIN GPS MAP PLOTTER	1J7001637	Broken/nonre pairable	2015	5H	SAR	04/05/21	Bigham		
44655	GARMIN GPS MAP PLOTTER	1J7001638	Broken/nonre pairable	2015	5H	SAR	04/05/21	Bigham		
46353	GARMIN GPS 60 CSW	118301344	Broken/nonre pairable	2015	2H	SAR	04/05/21	Bigham		
46354	GARMIN ETREX HIKING GPS	16Q095979	Broken/nonre pairable	2015	2H	SAR	04/05/21	Bigham		
46355	GARMIN ETREX HH HIKING GPS	N/A	Broken/nonre pairable	2015	2H	SAR	04/05/21	Bigham		
46356	GARMIN ETREX HH HIKING GPS		Broken/nonre pairable	2015	2H	SAR	04/05/21	Bigham		
46357	GARMIN ETREX HH HIKING GPS I		Broken/nonre pairable	2015	2H	SAR	04/05/21	Bigham		
46358	GARMIN ETREX HH HIKING GPS@I		Broken/nonre pairable	2015	2H	SAR	04/05/21	Bigham		
46359	GARMIN ETREX HH HIKING GPS@I		Broken/nonre pairable	2015	2H	SAR	04/05/21	Bigham		
46360	GARMIN ETREX HH HIKING GPS@I		Broken/nonre pairable	2015	2H	SAR	04/05/21	Bigham		
1010	AIR COMPRESSOR 5HP	RC93101-2596	Broken/nonre pairable	1985	3H	SAR	04/05/21	Bigham		

39005	WINCH 9500 SERIES	N/A	Broken/nonre pairable	2007	5H	SAR	04/05/21	L. Shepherd		
34251	BRIGGS & STRATTON GENERATO	1012697870	Broken/nonre pairable	2006	8H	SAR	04/05/21	L. Shepherd		
34305	WINCH 8000 LB /SWAT	N/A	Broken/nonre pairable	2006	2K	SO-ADMIN	04/05/21	L. Shepherd		
39823	PIONEER PLASMA TV	FGSS004158UC	Broken/nonre pairable	2009	1H	SO-ADMIN	04/05/21	B. Forbert		
45591	LASER JET PRO PRINTER STA.5	CNB8HCDLRO	Broken/nonre pairable	2016	3H	SO-ADMIN	04/05/21	B. Forbert		
41919	DELL 20" MONITOR	MX0G324H742621CE11WL	Broken/nonre pairable	2012	3H	SID	04/05/21	B. Forbert		
38915	LIBERTY LIGHTBAR	LB104	Broken/nonre pairable	2009	1K	DCSD-SHOP	04/05/21	L. Shepherd		
46640	Zebra Mobile Printer	XXRB1164900326	Broken/nonre pairable	2017	7H	SO-ADMIN	04/05/21	L. Shepherd		

AUTHORIZATION TO DISPOSE		INVENTORY CLERK INFORMATION		NOTES
SIGNED BY: <u>Juan Martinez</u>	DATE: <u>03/11/21</u>	PRELIMINARY PRESENT TO BOS		Page 3 of 3
PRINT NAME: <u>Roger Hutchins/ Juan Martinez</u>		<b>April 5, 2021</b>		
DISPOSED BY: _____	DATE: _____	FINAL PRESENT TO BOS		
PRINT NAME: _____		<b>April 19, 2021</b>		
INV CLERK: _____	DATE: _____	DATE INVENTORY DISPOSED IN A 5400		
		DATE BOS FINAL MINS ATTACHED		

**c. Report of Expenditures & Liabilities – MS Code 19-11-23**

**2. Road Department**

- a. Changes to Road Register – Angie Drive & Angie Drive Extended**
- b. Changes to Road Register – Forest Ridge Subdivision**

**3. Office of Procurement**

- a. March Procurement Card Purchases**

**4. Inmate Meal Log Affidavits (2) MS Code 19-25-74**

**5. EMS Monthly Report**

March 2021

Number of ambulance runs billed: 136  
Amount billed: \$ 92,938.94  
Amount collected: \$ 59,346.79  
Un-collectable amount: \$ 24,947.06

	Eudora	Lewisburg	Walls
Dispatched Calls:	57	97	85
Refusals:	3	13	19
Standby Only:	0	5	7
Billed:	38	56	42
Other:	16	23	17

Other = unable to locate patient, treated and transferred, treated and released, no treatment required, no patient found, dead at scene, cancelled and unknown.

## 6. Justice Court Monthly Settlement

March 2021

Criminal Cases Filed	<u>256</u>
Civil Cases Filed	<u>757</u>
Traffic Tickets Filed	<u>1,248</u>
Total Cases Filed	<u>2,261</u>
State Assessments	<u>\$117,647.47</u>
County General Fund	<u>\$176,478.59</u>
DPS	<u>\$8,796.00</u>
Total Collections	<u>\$302,922.06</u>

Submitted by Pat Sanford

Date 31-Mar-21

## 7. Enter Into the Formal Record and Make a Part of the Board Minutes:

**a. Rural Fire Protection Agreements – Fully Executed  
ACI, Bridgetown, Eudora, Fairhaven, Lewisburg, Love, Nesbit, & Walls  
& Approval Letter from State Fire Marshal's Office**

**b. FedEx Fee In Lieu Documents – Fully Executed**

## 8. Chancery Clerk Allowance

## 9. Board Resolution to Make Offers for Star Landing Road Property – Signature Required (Previously Approved)

Supervisor Medlin said he would like to vote separately on the FedEx Fee In Lieu.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the Consent Agenda as presented except the FedEx Fee In Lieu 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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

Supervisor Ray Denison made the motion and Supervisor Lee Caldwell seconded the motion to make the FedEx Fee In Lieu documents a part of the Board minutes.

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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>NO</u>

Supervisor Medlin said he would like to meet with the FedEx officials again regarding truck traffic on Hwy 305.

**See Exhibit F.**

## **G. OLD BUSINESS**

### **1. Project Updates**

#### **a. Craft Road Widening Contract Documents & Notice of Award – Acuff Construction – Signature Required**

Mr. Tracy Huffman stated Acuff Construction has provided all the necessary documents and the contract is ready to sign. He reminded the Board that Acuff Construction's bid was \$2,752,169.25. Supervisor Denison asked if there had been any communication with the company whose bid was turn down. Mr. Huffman said there has not been any word.

Supervisor Medlin asked about the timeline. Mr. Huffman stated they are allowed 260 days which will push the project into winter. Supervisor Medlin asked why the WIN Job Center was mentioned in the documents. Mr. Collins Simpson stated the contractor gets a pay-rate schedule from them.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion accept the contract from Acuff Construction and authorize the Board President to sign the contract and make the Notice of Award a part of the Board minutes.

The motion passed by a vote as follows:

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

**See Exhibit G.1.a.**

### **2. COVID-19 Update**

#### **a. Statistics, Vaccinations & Testing**

EMS Director Mark Davis stated the day by day cases are fairly low with just a slight uptick last week. He stated the deaths in the County have flattened at 250. Director Davis stated the 7-day trend is down 95 from the last meeting and the 14-day trend is down 55. He stated the average positivity rate from testing is 4.2% which is down from the County's high of almost 29%. He said the hospitalizations are also down. Director Davis stated EMS was transporting from 10 to 15 cases per week and now they only have one or two per week.

Director Davis stated the County has given 42,918 vaccines. He stated lots of places are offering the vaccines now; so the Health Department is only doing 400 to 500 per day. Mrs. Barclay said the State is saying people who want the vaccine are getting it because of the availability.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to extend the emergency proclamation regarding COVID-19 until May 17, 2021 finding that a state of emergency due to the fact that the COVID-19 outbreak still exists in DeSoto County, the Board will review the emergency declaration at that time and make Director Davis' report a part of the Board minutes.

The motion passed by a vote as follows:

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

**See Exhibit G.2.a.**

#### **b. Determination to Extend Emergency Proclamation**

See motion and vote at G.2.a.

**See Exhibit G.2.b.**

### **3. Contract Administration**

#### **a. Planning/IT – Open Edge – Contract Changed**

IT Director John Mitchell stated a fee schedule was included in the original contract and it should not have been. He stated this contract has zeroed out fees and requested the Board President sign the corrected contract.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Board President to sign the corrected contract with Open Edge as presented.

The motion passed by a vote as follows:

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

**See Exhibit G.3.a.**

### **4. Swinnea Road Project - MOA**

Mr. Nowak stated his office is moving forward with right-of-way acquisition on the Swinnea Road Project. He noted this MOA is required as the County will be working partially within the City of Southaven municipal limits. Mr. Nowak stated the MOA further states the County will be the lead on the project; and the city will pay half the costs to relocate utilities unless that expense is paid by another source of state or federal funding.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to authorize the Board President to sign the MOA with the City of Southaven as presented.

The motion passed by a vote as follows:

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

**See Exhibit G.4.**

#### **5. Human Resources – Meritain Claim Processing Agreement – Approval of New Copy – Signature Required**

Human Resources Director Carla Crockett stated the Board Attorney added some language to the claim processing agreement as presented and asked that the Board President sign the revised form.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the new claim processing agreement 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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit G.5.**

#### **6. College Hills Pipe Update**

Road Manager Robert Jarman stated this is the pipe that he had presented last week that had the potential to be a very expensive job. He stated they did more investigation and found that the bottom of the pipe was only rotted a short distance so they jacked it up and made repairs with concrete. He stated this would be a long term repair and the crew did an excellent job.

Supervisor Michael Lee made the motion and Supervisor Jessie Medlin seconded the motion to make Mr. Jarman’s report 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>ABSENT</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

#### **7. Summer Work Program**

Mrs. Lynchard stated she has found out that the guidelines handed out at the last meeting have been changed and Three Rivers is doing the same program they did last year. She noted that they do not allow using the same people as last year to participate in the summer work program and participants must be over the age of 18. She asked the Board to contact her or Mrs. Crockett if they knew of anyone that might be interested.

**See Exhibit G.7.**

### **H. NEW BUSINESS**

#### **1. 9:00 a.m. – Veteran Services Officer Report**

Mrs. Lynchard stated the Board had asked how busy the County Veteran Services Officer is, so she asked Mr. Michael Reed to come and give a report. She noted the State is still looking for someone to fill that position in DeSoto County and the County shared their job posting.

Mr. Reed stated he stays booked up about a month in advance. He said he generally gets in the office a 7:00 a.m. and opens at 8:00 a.m. on Tuesday, Wednesday and Thursday. He stated he closes the office at 3:00 p.m. on Tuesday and Wednesday and 2:00 p.m. on Thursday.

Supervisor Gardner asked Mrs. Barclay to promote the Veteran Services office and the hours to help get the word out. He said he would also like to be sure there is good signage at the office and reserved parking spaces for veterans. Mr. Reed stated there is a large sign on top of the building and he does get some walk-ups from that. Supervisor Medlin suggested Facilities could look at the space and make sure the signs are good, as well as the reserved spaces. Mrs. Irving stated she got a quote for \$130 that would say donated by the Board of Supervisors. Supervisor Gardner said the signs he saw were donated by Woodsmen of the World. Supervisor Caldwell said she had a contact with Woodsmen of the World and would give it to Mrs. Irving.

Mr. Reed stated he appreciated the recommendations the Board sends him. He stated moving to the location within the Health Department was a great move because of handicap accessibility. He said he and the Health Department put cones out to reserve parking spaces because the Driver's License office patrons will take them if they are not marked.

Mr. Reed stated he has requested to talk with the Guard and Reserve units to educate them on the difference in benefits for those groups. He said that people come to him because they have tried to get their veteran benefits and gotten frustrated. He said he takes pride in figuring out the system. He said he knows what the VA is looking for and he listens to people to find out what their missing piece is. Supervisor Caldwell said Veterans' benefits are not a one-size-fits-all and Mr. Reed has to listen to see what people are entitled to and what they are missing. Mr. Reed agreed and said it is like putting puzzle pieces together and he puts as much evidence as possible in the reports to help people.

Mrs. Crockett stated the job posting that was sent from the State VSO last week has expired and they are not going to extend it. Mr. Reed stated Memphis has one VSO for Shelby County, Tunica County has not had one since 2019, and Marshall County has 1 that works 2 days a week and she has been working from home since last year. He stated he gets calls from Tate County as well. He said he thinks the number of veterans DeSoto County runs about 10,000 – 12,000. He stated everyone is unique and has their story; and he feels they are his family. Supervisor Caldwell said the Board appreciates what Mr. Reed does and that it is a calling.

Mr. Reed stated the State created a new form, 2122 POA that asks the veteran who they want to be their POA with choices on the form. He said this form is in case they have to go in front of a judge, the POA can help them. Mr. Reed said there is also a release letter that the veteran signs to allow the VSO to work with the POA.

Mr. Reed stated Senate Bill 2165 will give accreditation and the State is searching for how to put together the requirements. He said currently VSOs go through training and get state certified; and the State has 12 months to 2 years to come up with an accreditation plan and only VSOs that have 1000 hours or more will be accredited. He noted that NACo currently offers accreditation for \$450; but it seems to always be somewhere far off. Supervisor Gardner said if it would be helpful; he would have no problem with sending Mr. Reed to that.

Supervisor Denison questioned the number of VSOs in Memphis. Mr. Reed said the VA Hospital has 3 and a vet center that is somehow like that provides services. Mrs. Lynchard stated Mr. Richardson was at the Memphis VA and in DeSoto County two days a week. She stated the State office is looking for someone to be in DeSoto County full time.

Mr. Reed stated the accreditation will mean changing the system the County is currently using. He stated accreditation will give him access to the VA system which will allow access to track a Veteran's claim. Supervisor Gardner asked Mr. Reed to get with IT and get in place whatever software upgrades will be needed along with the costs it will take to upgrade. Mr. Reed said there will be VSO training in November on the Coast and the State hopes to have information on accreditation. Supervisor Caldwell asked if the State funded that travel and classes. Mr. Reed affirmed.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize Facilities to see what is needed at the Veteran Services office in the way of signage and reserved parking spaces and to make Mr. Reed's report a part of the Board minutes.

The motion passed by a vote as follows:

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

**See Exhibit H.1.**

## **2. 9:30 a.m. – Adult Drug Court – Request for Insurance Coverage for a Part-Time Employee**

Judge McClure, Judge Wilson and Mr. Craig Sheley were present. The Board and Judges discussed how to help Mr. Sheley keep his insurance after his retirement when he plans to come back to work for Drug Court part-time. Supervisor Medlin stated there is a Board policy that allows retirees to keep their insurance. Mrs. Crockett stated that policy is for employees over age 60 and Mr. Sheley is younger than that. Judge McClure stated Drug Court intends to make the payments so it will not cost the County anything. He said with Mr. Sheley's military and law enforcement experience, he has been in the PERS system for many years as he started young. Mrs. Crockett suggested considering COBRA. Mrs. Lynchard said the insurance committee can look at this and perhaps the policy could be changed to say over age 60 or 30 years of service. The Board all agreed that they want to find a way to help Mr. Sheley but they must be careful about setting a precedent for other ancillary agencies and part-time employees. Judge McClure stated they are also working on trying to raise the salary cap that is set by the Drug Court Advisory Committee through the AOC.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to table this matter and have the Insurance Committee come up with a solution.

The motion passed by a vote as follows:

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

## **3. Ingram's Mill Center Span Bridge Beams – SAP-17(56)**

Mr. Huffman stated they observed some cracks in the center span bridge beams at the Ingram's Mill Bridge and, as a result, they did more inspections. He stated they brought it to the contractor's attention and did some checking with State Aid and others. Mr. Huffman stated the manufacturer suggested making in-place repairs and said that is acceptable from PSI, in certain cases, which is an organization that oversees such things. He stated that the report from MDOT's inspector said they noticed some form issues at the manufacturer. Mr. Huffman stated these beams are precast, not cast in place in the field.

Mr. Huffman stated the beams that are cracked to full depth are concerning. Supervisor Lee stated he did not think the beams were acceptable. Supervisor Caldwell said if all 5 of the center beams have fissures or cracks that is concerning. Mr. Jarman stated he did not like the thought of not replacing the beams and leaving a problem for others years down the road. Mr. Huffman agreed and said Waggoner's position is this is not the County's expense as they did not pay for cracked beams. Supervisor Gardner said if the manufacturer does not work with the contractor, this will cost thousands of dollars. Mr. Huffman stated they may have to remove the outer beams to set the center span beams and will probably need a bigger crane which will mean more cost.

Supervisor Caldwell stated she thought the only thing to do is get new beams. Supervisor Denison asked who inspected the beams. Mr. Huffman stated the contractor did not say anything, but Waggoner’s inspector noticed the cracks. He stated the 40-foot beams are good, but the five 80-foot beams are not good. Supervisor Caldwell said this same manufacturer had the same problem last year on an ERBR project in another County.

Supervisor Medlin asked if you could tell if a beam has been patched. Mr. Huffman stated the manufacturer can make cosmetic repairs without consulting MDOT; but this seems to be more than that. Mr. Huffman stated the contractor is behind schedule and this will add to that. He said they have asked for an updated schedule. Supervisor Medlin stated this will add to the burden when the new school opens in the fall.

Mr. Huffman stated if the Board wants to replace all five center beams; they will do that. Supervisor Lee asked if the Board’s decision would be final or if they would get push back. Mr. Huffman stated they are trying to guard against a prolonged delay. Supervisor Medlin said he hated to see something patched go into a \$1.2 million bridge with 88,000 pound weight limits. He stated the County paid for beams without cracks and this is taxpayers’ money so it needs to be right. He said he would take heat from the public about the road being closed to ensure the safety of the people traveling that road. Mr. Jarman stated they have an overlay of Red Banks Road that will require some cross drain replacement causing road closures. He said they will have to delay that as long as Ingram’s Mill Road is closed.

Mr. Huffman stated State Aid’s District Engineer is scheduled to come and look at the beams on Thursday.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to require the contractor to replace all five 80-foot center beams and make Mr. Huffman’s report a part of the Board minutes.

The motion passed by a vote as follows:

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

**See Exhibit H.3.**

#### **4. 10:00 a.m. – Business Investment Incentives**

##### **a. Costco Wholesale Corporation – Free Port Warehouse**

Mr. Jim Flanagan stated Costco is in the former Sears Distribution warehouse in the Metro Industrial Park.

Mr. Gary Brooks, General Manager, stated they ship major appliances and make home deliveries for Costco. He stated they are a 6-day a week operation with 50 total associates, not counting delivery drivers. He stated they are housed in apx. 8,000 square feet.

Supervisor Gardner asked if corporate had plans to open a retail store in DeSoto County. Mr. Brooks stated they are hopeful, and think the Southaven area is promising.

Supervisor Caldwell asked how long Costco has been at this location. Mr. Brooks stated Costco acquired the Sears facility in March 2020. Supervisor Caldwell encouraged Mr. Brooks to hire DeSoto County residents. Mr. Brooks stated the number on the application should be updated to about 20 DeSoto County residents. Supervisor Caldwell informed Mr. Brooks about the Trinity Health Care Center in Horn Lake that is for the underinsured and uninsured so he could relay the information to their contract workers. She asked that Costco consider also supporting the center. Mr. Flanagan stated the Economic Council is going to have a remote tour of the Trinity Health Center that they will share with all the companies.

Supervisor Jessie Medlin made the motion and Supervisor Jessie Lee Caldwell seconded the motion to approve the Free Port Warehouse exemption for Costco Wholesale 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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit H.4.a.**

**b. Helen of Troy – Free Port Warehouse**

- 1) 1222 Commerce Parkway, Horn Lake**
- 2) 8474 Market Place Dr., Suite 101, Southaven**

This item was removed from the agenda.

**c. Johnson Controls – Hitachi Air Conditioning North America, LLC – Free Port Warehouse**

Ms. Kim Crossen-Phillips, Warehouse Manager, stated they are located in the Core 5 building in Horn Lake. Ms. Phillips stated their wage scale is around \$24.10 per hour, they provide fringe benefits, 75% of their employees are DeSoto County residents, and they support the American Red Cross.

Supervisor Caldwell asked Ms. Crossen-Phillips to consider supporting the Trinity Health Center and to let any contract people know about it. Supervisor Medlin asked if this was a new building. Ms. Crossen-Phillips affirmed.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the Free Port Warehouse exemption 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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit H.4.c.**

- d. Keefe Group, LLC      Free Port Warehouse &  
10-Yr. Real & Personal Property (New)      \$14,367,912.06  
(\$10,873,420.00 – Real + \$3,494,492.06 – Personal)  
(Effective: 01/01/2021 through 12/31/2030)**

Mr. Paul Scherer stated he has been with the Keefe Group for 21 years; and they just opened a new 125,000 square foot facility in Legacy Park in Olive Branch with about 55 employees. He stated their goal is to hire DeSoto County residents. Mr. Scherer stated Keefe Group provides commissary supplies to correctional facilities, and they have 23 distribution centers across the United States.

Supervisor Medlin asked if the trucks usually went out to Polk Lane to the traffic light. Mr. Scherer stated they can get out on Hacks Cross or Goodman. Supervisor Medlin stated the County is building Progress Way out to Hacks, and that will help with the trucks. He asked if Keefe Group was the first to occupy the building. Mr. Scherer stated they are; and there is another tenant in the building as well.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the Free Port Warehouse exemption and the new 10-year Real & Personal Property

exemption in the total amount of \$14,367,912.06 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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit H.4.d.**

**e. Phoenix Assurance, LLC 10-Year Real Property (New) \$39,350,000.00  
(Effective: 01/01/2021 through 12/31/2030)**

Senator Rita Parks stated this is her company and it is a 3<sup>rd</sup> party logistics pharmacy health care facility. She stated they expanded to a 312,000 square foot facility on Stateline Road in Southaven, and they plan to hire 10 DeSoto County employees.

Supervisor Caldwell thanked Senator Parks for choosing DeSoto County and suggested she tour the Career Tech Centers in the County for future employees. She stated the Board appreciates Phoenix Assurance's support of Samaritans, and told her about Trinity Health Care and their services. She asked Senator Parks to look into supporting them as well.

Supervisor Mark Gardner made the motion and Supervisor Ray Denison seconded the motion to approve the new 10-year Real Property exemption in the amount of \$39,350,000.00 as presented and authorize the Board President to sign any 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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit H.4.e.**

**5. Emergency Management Services**

**a. MS Ambulance Alliance – Affiliation Agreement**

Director Mark Davis stated the Board previously approve the Board Attorney to work on the Upper Payment Limit Program (UPL). He stated the MS Ambulance Association and MS Legislature are working trying to get reimbursements from Medicaid raised. He stated they will assess fees to each ambulance service based on calls, send service invoices to the Federal Government who will match and reimburse at the highest pay rate. He stated this program will benefit the entire state. Mr. Nowak stated they are not sure what the contribution will be, but it is based on prior years billing. He stated they want to have language in the agreement to receive not less than 5% back.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize the Board President to sign the MS Ambulance Alliance Affiliation Agreement as presented.

The motion passed by a vote as follows:

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

See Exhibit H.5.a.

**b. EMS – Request to Serve on State Committee**

EMS Director Mark Davis stated he was contacted several weeks ago by Dr. Hall and asked to serve on the State Public Information Committee for EMS which makes recommendations to the Department of Health and the State Legislature.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to authorize Director Davis to accept the appointment and authorize any travel associated with the appointment.

The motion passed by a vote as follows:

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

See Exhibit H.5.b.

**6. EMA - Request Approval to Designate Josh Harper as Applicant Agent for FEMA Public Assistance Reimbursement for COVID-19 – Signature Required**

EMA Deputy Chief Josh Harper stated this is for COVID 19 similar to the documents they did after the tornados designating him as the applicant agent for FEMA public assistance reimbursement.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to designate Josh Harper as applicant agent for FEMA public assistance reimbursement for COVID-19 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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.6.

**7. EMA – Hazard Mitigation Grant/Outdoor Warning Sirens – Signature Required**

Deputy Chief Harper stated they found that the grant could be signed by Chief Olson so he requested to remove this item from the agenda.

**8. EMA – RFTAAP Fire Truck Application**

**a. Approval of Application – Nesbit Fire Department**

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the RFTAAP Fire Truck Application and acknowledge that the Board minutes serve as the Resolution of Support 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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>

Supervisor Michael Lee, Fifth District YES

**See Exhibit H.8.a.**

**b. Approval of Resolution of Support**

See motion and vote at H.8.a.

**c. State Grant vs. Budget**

Deputy Chief Harper stated the grant is for \$90,000 and the County's match is \$70,000. He stated Nesbit Fire Department has agreed to put in \$20,000 up front until the reimbursement comes in.

**9. County Extension Office – Request Approval of Agriculture & Natural Resource Agent (ANR)/ 4-H Agent**

Dr. Joy Anderson stated this week is National Volunteer Week and the Extension Service is recognizing volunteers each day. She stated today they are recognizing the Board of Supervisors. She said she does not think many people know how much Board members actually volunteer.

Dr. Anderson stated the ANR Agent will have 4-H and Agricultural responsibilities. She stated they have to turn in this paperwork to get the position approve through the Extension Service. Mrs. Lynchard state \$24,079.91 was approved in 2010 and there might need to be a budget amendment. Dr. Anderson stated the Extension Service does not bill the County unless there is someone in the position, so there should be money there for this budget year. Mrs. Lynchard stated they will need to increase the amount for next year.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the Agriculture & Natural Resource/4-H Agent position as presented.

The motion passed by a vote as follows:

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

**See Exhibit H.9.**

**10. Animal Shelter – MOU with MS State University**

Mrs. Lynchard stated this was removed from the agenda because the Board Attorney had not had a chance to review it. Mr. Nowak stated he did review it at lunch and it is acceptable.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Board President to sign the MOU with MS State University for spay/neuter services at the Animal Shelter.

The motion passed by a vote as follows:

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

**See Exhibit H.10.**

**11. National Day of Prayer – May 6, 2021**

Mrs. Barclay stated the service last year was virtual and they are proposing an in-person service this year on Thursday, May 6<sup>th</sup> from 7:15 a.m. to 7:45 a.m. in front of the courthouse. She stated the National theme is “Lord, pour out your love, life and liberty”.

Supervisor Caldwell stated the City of Hernando will be joining with the County for the service. Mrs. Barclay stated she will get a program together.

Supervisor Lee Caldwell made the motion and Supervisor Ray Denison seconded the motion to recognize May 06, 2021 as the National Day of Prayer and set the time for a service in front of the Courthouse at 7:15 a.m. to 7:45 a.m.

The motion passed by a vote as follows:

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

**See Exhibit H.11.**

## **12. Environmental Services**

### **a. Update on Cleanup of 10795 Ben Vorlich’s Head**

Mr. Laughter stated the County has been trying to get this property cleaned up since 2015 and a judge ordered recently that the County could go in and clean the property. He stated the Road Department, Sheriff’s Department and Board were instrumental in getting this done. He thanked Mrs. Barclay for documenting with pictures. Mr. Laughter stated there was quite a long inventory list of items that were removed, including 2 junk vehicles. He noted that the items in the yard and lean-tos were inoperable and much of it was rusty. Mr. Laughter showed pictures of the property after it was cleaned. He stated the trailers of items picked up will remain on County property for 120 days, which the owner may reclaim, as mandated.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to make the pictures from after the clean-up and the inventory list a part of the Board minutes.

The motion passed by a vote as follows:

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

**See Exhibit H.12.**

## **13. Facilities – Justice Court Building Update**

Facilities Director Shawn Houston stated he went to the Justice Court site this morning. He stated the electric pole has been moved and the sewer lines are done. Mr. Houston stated the French drain estimate is \$6,226.86 which is under the \$10,000 the Board allowed. He stated the contractor has cut a ditch to let the water run into the stream and there is very little water on the building site.

Supervisor Denison asked if they had completed the additional borings. Mr. Houston stated they have, but he has not received the results yet. Mr. Houston stated he met with the Corps of Engineers and they are allowing the building and parking lot to adhere to the original plans. He stated in order to do that the County has to plant 3 rows of trees on the opposite side of the stream from 50 feet of the center of the stream. He said this was very good news to everyone.

## 14. Office of Finance and Accounting

### a. Preliminary/Final Inventory Dispositions – E911

Mrs. Freeze stated the switch panels did not have asset numbers as they were part of an overall system, but they have been replaced. She stated the other items are outdated or broken. Supervisor Medlin asked who bought the E911 equipment. Mrs. Lynchard stated E911 pays for it, but it has to go on the County's inventory.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the preliminary/final disposition for E911 as presented.

The motion passed by a vote as follows:

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

See Exhibit H.14.a.

### b. Interfund Transfer – Road Projects – Holly Springs Road

Mrs. Freeze stated this is for a bill from Talbot Brothers Construction for Segment 2 and will be paid out of the grant fund. She stated the grant fund does not hold money, rather the County pays and the State reimburses. She stated the reimbursements have been coming very quickly.

Supervisor Michael Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve the interfund transfer as presented.

The motion passed by a vote as follows:

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

See Exhibit H.14.b.

### c. Claims Docket – MS Code 19-13-31

Chief Financial Officer Andrea Freeze presented a page-by-page declaration of the Claims Docket and Clerk Sissie Ferguson brought invoice documentation to address any questions.

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

Page 35 – City of Olive Branch – Sheriff Rasco stated they hired someone from OB Police and he had not been there for two year so the Sheriff's Dept. had to reimburse OB for his academy.

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

Page 6 – Millennium Paint & Body – The invoice showed a deductible for Sheriff's Vehicle

Page 6 – Travelers – Pollard lawsuit – Mr. Nowak stated that is set for trial in June.

Page 11 – Bridge & Watson – Olive Branch annexation – Not the final bill

Page 18 – Just Appraised – Mrs. Freeze stated that is the Tax Assessor's software

Page 22 – Supreme Court Appeals paupers – Mrs. Lynchard found out from Mrs. Thompson anytime a pauper has an appeal to the Supreme Court, the County has to pay for the appeal. She stated this one was \$200.

Page 34 – UK Aero – \$3,900 - Sheriff Rasco stated they had to have some welding done on the helicopter they are going to sell

Page 36 – City of Southaven training – Sheriff Rasco said they sent someone through Southaven's course

Page 42 – Funderburk's - \$7,800 – Sheriff Rasco said that is the regular inmate's prescriptions

Page 45 – Mteck High Pressure pump – Mrs. Lynchard found out that this was purchased by the pipeline and is a pump that goes on an ATV for firefighting.

**Supervisor Ray Denison asked about the following claims:**

Page 8 – ESRI – service maintenance – Mrs. Lynchard stated that is the software GIS uses for their system

Page 11 – Sears Bankruptcy – The minutes showed the County received \$41,000.

Page 36 - \$33,000 for Fleetcor – Sheriff Rasco stated that is about normal. Mrs. Ferguson stated there are normally only 2 invoices per docket, but this docket had 3. Supervisor Denison asked about the Road Department – Mr. Jarman stated they buy by the tank from the vendor with the lowest price and the Sheriff uses Fuelman at the pump.

Page 38 – North MS 2 Way – Sheriff Rasco stated that was for equipment to get new vehicles on the road.

Page 40 – Bucket \$1100 – The invoice showed 25 mop buckets at \$45 each.

Page 72 – Waggoner – Mrs. Lynchard stated that was for the flood risk study. She stated Mr. Young does a great job of scrutinizing those bill making sure they follow what is approved.

Page 86 – Holly Springs Road – Mr. Young stated there are no task orders for this project as federal money can only be paid for the project, not engineering. He stated this is paid out of bond money. Mrs. Lynchard stated it is usually paid out of local funds and sometimes is part of the County’s match.

Page 92 – Amazon DIP Grant – Mrs. Freeze stated they received \$50,000 from Hillwood as part of their agreement. Mrs. Lynchard stated this one is split between the County, MDA and Hillwood.

**Supervisor Lee Caldwell had no questions.**

**Supervisor Michael Lee had no questions.**

County Administrator Vanessa Lynchard asked about the virtual academy that the Sheriff’s Department uses. Sheriff Rasco stated they pay a subscription for the service. He stated the officers can train over computer instead of traveling. Mrs. Lynchard asked if it was \$1,800 per person or per session. Sheriff Rasco stated it is per session.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the items on the claims docket and authorize the Chancery Clerk to pay the bills as presented by the Finance 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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit H.14.c.**

**15. Grant Administration – Closeout Homeland Security Grant 20HSO17**

Grant Administrator Sheila Garrett stated this grant was used for the chemical identifying gun for EMA. She stated the grant was for \$61,000 and \$60,795.73 was spent; which left them returning \$204.27.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to authorize closing out the Homeland Security Grant 20HSO17 as presented.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>

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

**See Exhibit H.15.**

## **16. Road Department**

### **a. Adopt A Road Application – The Crockett Crew – Scott & Royal Lane**

Road Manager Robert Jarman stated Mrs. Carla Crockett and her family would like to clean Scott Road between Commerce and Oak Grove as well as Royal Lane. The Board thanked Mrs. Crockett for signing up.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to authorize The Crockett Crew to adopt Scott Road and Royal Lane.

The motion passed by a vote as follows:

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

**See Exhibit H.16.a.**

### **b. Bus Turnaround – 9318 Barbee Road**

Mr. Jarman stated the Board of Education sent the request and a copy of their minutes where they approved it. He stated it is a small area and will not take much gravel.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the school bus turnaround at 9318 Barbee Road as requested by DeSoto County Schools.

The motion passed by a vote as follows:

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

**See Exhibit H.16.b.**

### **c. Finding of Fact – 4443 Robinson Loop E & 4357 Robinson Loop E**

Mr. Jarman stated they got complaints from 2 people who said the water backed up right to their homes. He stated there were 2 ditches that are stopped up and the water at the top section of the neighborhood is running down the road flooding the entire road and cove. Mr. Jarman stated Mr. Bridgforth's crew cleaned out the big ditch with their back hoe; but the two small ditches that feed it are stopped up and need to be cleared to stop the road flooding. Supervisor Gardner said he had looked at this and it is bad. Mr. Jarman stated one of the ditches has a flapper on one end of a pipe to keep debris out; but it is stopped with silt from the outside. Mr. Young stated that design is effective when it floods so that the water runs back up the pipe to open the flapper. Mr. Jarman noted the ditches are on HOA property. He said he will reach out to the HOA that they need to keep the ditches clean from now on. Supervisor Gardner stated Mr. Bridgforth, Jr. keeps up the HOA and does a good job. Supervisor Caldwell said this is a good time to let them see how the ditches should be cleaned and they can maintain them.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to authorize the Road Department to clean the two ditches presented finding that the stopped up

ditch is causing the County road and cove to flood, thereby causing a health and safety issue to the public as well as damaging the County road.

The motion passed by a vote as follows:

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

**See Exhibit H.16.c.**

#### **d. Quarterly Status Report on Projects**

Mr. Jarman stated he will be putting this info on the Consent Agenda quarterly. Supervisor Medlin said he would like to have Mr. Huffman come and go over the projects. Supervisor Caldwell stated that was the plan from the Transportation Committee.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to have Mr. Huffman come to the first meeting in May and give a report on the road projects and to make Mr. Jarman's report a part of the Board minutes.

The motion passed by a vote as follows:

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

**See Exhibit H.16.d.**

#### **e. Parman Equipment Agreement**

Mr. Jarman stated the Road Department has had a DEF tank for a while and they buy the fluid from Parman. He stated this is for the ethanol 3 fuel and is a double wall tank. Mr. Jarman stated they will not pay for the tank, just the product they buy.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to accept the agreement to use the fuel tanks 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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit H.16.e.**

### **17. Contract Administration – Sheriff's Department – Stericycle/Shred-It**

Director of Administrative Services & Procurement Angie Irving stated this is a new contract agreement as the previous shredding company went out of business. She stated the contract is for 60 months and is \$83.28 per pickup for twice a month pickup for 2 bins.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the contract with the Sheriff's Department and Stericycle/Shred-It 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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit H.17.**

**18. Car Haulers/Commercial Vehicles in Subdivisions**

Supervisor Denison stated a car hauler was parked in Delta Bluffs subdivision again and blocking one full lane of traffic. He stated this has happened before. Supervisor Denison stated he talked to Chief Deputy Justin Smith and there seems to be some confusion on what can be done. He stated parking in a subdivision and blocking a lane of traffic is wrong and the Sheriff’s Department should be able to write a ticket. He stated there are also some dump trucks parking in front yards in Ranch Meadows and he would like to address that as well.

Mrs. Nowak stated the County has an On Street Parking Ordinance and Off Street Parking regulations. Supervisor Caldwell suggested talking to Mr. Hopkins. Supervisor Denison said he did and Mr. Hopkins is going over there to check it out. Supervisor Denison asked if the driver parked the car hauler in his back yard behind a fence, if that would be allowed. Supervisor Caldwell stated it depends on the zoning of the area. Mr. Nowak stated if the enforcement issue is on the street; that is the Sheriff’s Department. If the enforcement issue is on private property; that is a Planning Code enforcement.

Supervisor Denison asked Sheriff Rasco if the Sheriff’s Department could put a warning ticket on the truck saying they cannot park a trailer there that is blocking the street. Sheriff Rasco stated they would do that.

**19. AT&T – Assignment of Franchise Agreement**

Mrs. Lynchard stated she got a notice that AT&T is assigning a franchise agreement to Direct TV. Mr. Nowak stated this is allowed under AT&T’s agreement.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to make the AT&T assignment of franchise agreement to Direct TV a part of the minutes.

The motion passed by a vote as follows:

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

**See Exhibit H.19.**

**20. Justice Court Prosecutor for June 4, 2021**

Mrs. Lynchard stated she got another request for a special prosecutor on Friday for April 28 & 29<sup>th</sup> because Mr. Sorrell is going to a conference.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the special prosecutor for April 28 & 29 as well as June 4, 2021 and authorize the clerk to write the checks.

The motion passed by a vote as follows:

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

Supervisor Michael Lee, Fifth District YES

See Exhibit H.20.

**21. Human Resources**

**a. Aetna Plan Sponsor Letter Agreement – Request Approval & Signature**

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the Aetna Plan Sponsor Letter 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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.21.a.

**b. Request Increase to Employer Benefits Contribution Effective 4/16/2021**

Mrs. Crockett requested the County put in a \$.28 increase in the monthly vision to be effective next payroll. She stated this will increase the budget for next year.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the \$.28 increase to employer benefits contribution for vision as requested.

The motion passed by a vote as follows:

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

See Exhibit H.21.b.

**c. Potential Bidding – Generic Prescriptions**

Mrs. Lynchard stated she has been contacted by two local pharmacies that feel like they don't get their fair share to supply pharmaceuticals; and they are particularly concerned about RXnGo. She said she and Mrs. Crockett can come up with a way to let them do a program. Mrs. Lynchard stated Mrs. Crockett monitors RXnGo on what they charge the County and when she does find a discrepancy; they fix it right away.

Supervisor Lee asked how many drugs RXnGo carries. Mrs. Crockett stated they have over 1200 generic drugs in stock.

Supervisor Medlin said he felt it was the pharmacy's responsibility to bid.

Mrs. Crockett stated the County does not pay more than \$25 for a 90-day prescription. Supervisor Denison asked if all pharmacies charged the same. Mrs. Crockett said they do not; and it is the employee's responsibility to shop prices.

Mr. Adrian Epps said the County will have to consider what they will require if they take bids. He noted that RXnGo fills and mails at zero cost to the employees and the generic drugs are always in stock. Supervisor Lee said a pharmacy would have to be willing to pay shipping to compete.

Supervisor Caldwell stated that RXnGo sends all the medication at the same time and you go to

the doctor once a year to get the prescriptions refilled.

**d. HR Recommendation Packets**

Mrs. Crockett stated she wanted to be sure the Board is getting the information they want from HR and not more than they want. The Board agreed they did not need to see the background checks or drug screens unless something showed up on them; and they did not need to see the signed permission Fair Credit Reporting Act disclosure and authorization form or the Applicant’s statement from the candidates.

**e. 11:00 a.m. – COBRA Subsidy for Involuntarily Termed Employees**

Mr. Epps stated the concept is supposed to give relief to employees that have been involuntarily terminated and the intent was probably for laid off employees. He stated the language broadens to include anyone terminated who did not voluntarily resign except for gross misconduct to the employer. He stated HR has done some due diligence and this has to go back to November 2019 because of the COBRA eligibility time period. He said you have to go to those individuals and offer them the same coverage they had when working for the County, starting April 2021 they are potentially eligible to be on COBRA at no cost to themselves up to September 30, 2021. He said the former employees will have to attest they do not have access to any group health coverage, Medicare or Medicaid in order to qualify. He said the termed employee is not allowed to have premiums collected from them; and the County may be eligible for a payroll tax credit to offset the cost.

Mrs. Lynchard stated one month of COBRA with family coverage is \$1165. Mrs. Crockett stated they County have had 15 people involuntarily terminated since October 2019. Mr. Epps stated there is a liability the County will assume as this is a special case where the government will allow people to be on COBRA at no cost to them. Supervisor Lee asked if the cost was to the County or the Federal government. Mr. Epps said the cost is to the County and he noted there are not pre-existing conditions limitations. Mrs. Crockett stated anyone who terms between April and September of this year will also be included.

Mr. Epps stated Meritain will send the notices out by May 15 and people have 60 days to make a decision to participate.

**f. Meritain Plan Documents**

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the Meritain plan documents 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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**See Exhibit H.21.f.**

**22. Declaration of Memorial Day Holiday**

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to acknowledge May 31, 2021 as Memorial Day Holiday and all County offices will be closed except for emergency services.

The motion passed by a vote as follows:

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

**See Exhibit H.22.**

### **23. Courthouse Improvement Plan – Committee Update**

Supervisor Gardner stated the committee went back to do a more comprehensive tour of the Courthouse and started putting numbers to the repairs. He stated there are over 100 windows and some will be several hundred dollars each. He stated that cost alone will put the County over the threshold that requires the County to hire an architect. He stated the committee recommends hiring Shafer, Zahner & Zahner to meet with the committee.

Supervisor Caldwell asked if this could not be part of the recent energy study. Mrs. Lynchard said they will probably not make a guarantee on the savings for windows unless they come back and do another study. She said they were told to not bring a capital improvement that would not pay for itself.

Supervisor Lee asked how this all worked with it being a historical building. Mrs. Lynchard stated you have to submit your plan to MS Archives and History about anything to be changed and they have to approve it.

Supervisor Denison stated Pella will make whatever window you like. He stated vinyl clad would be a color and there would be no maintenance.

Supervisor Gardner stated they saw quite a bit of water damage and the flower beds need a major overhaul as some of the borders are crumbling. He said he felt like Mr. Zahner could help navigate the Archives & History requirements. Mrs. Lynchard stated there are architects that specialize in historical buildings. She also asked if the Board would consider giving Facilities about two months to fix what they can fix and then move forward with getting the architect. She said it would probably save money to do that. She noted Facilities could do the flower bed borders, doors, ceiling tiles, floors, gutters, clean file cabinets out of the attic, fix the intercom and AV systems in courtrooms and paint the hallways after Archives & History approves the paint color.

Supervisor Denison stated he felt like the windows would be over \$100,000. He said if the Board is going to do something, it needs to last forever.

Supervisor Lee asked how much the Chancery and Circuit Clerks turned in. Mrs. Heffner said it was between \$600,000 and \$700,000 that was not budgeted. She stated this has happened over many years and it is what the public sees, so it needs to be taken care of.

Supervisor Gardner said the committee is going to come back together and see what Facilities says they can do.

Mr. Houston stated he has addressed the cleaning issues that were pointed out.

### **24. Building Code Committee Update**

Supervisor Denison stated they talked about a list of significant changes to the code from the current code. He stated they are meeting again on the 26<sup>th</sup>. Supervisor Denison said they had a discussion regarding sprinklers in homes with one entrance to the subdivision. He said he was of the opinion that the County should not tell a personal residence to sprinkle their house. Supervisor Caldwell said the current code says if two structures are connected with a breezeway, they must be sprinkled.

Supervisor Gardner said he spoke with Mr. Williams and Chief Olson about that. He said it depends on what the building is used for as to whether or not it is required to have sprinklers.

Supervisor Denison said they will look objectively at those.

### **25. Office of Procurement – Purchase of Vehicle Over \$25,000 for Sheriff's Department**

Mrs. Irving stated the Sheriff's Department is requesting to purchase a Durango from Landers Dodge to replace a high-mileage vehicle. She stated the dealer is matching contract pricing and the law says you don't have to have a second quote in that case.

Supervisor Caldwell asked if this was in the budget. Sheriff Rasco affirmed and said they will surplus a vehicle. He stated they are now doing their own transports and saving about \$15,000 by doing so. He stated they put about 6,000 miles per week on the vehicle. Sheriff Rasco stated the vehicle will not be marked, but will have DeSoto County Sheriff's Department on the bottom and will be outfitted with lights.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the purchase of a Dodge Durango from Landers Dodge as presented.

The motion passed by a vote as follows:

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

**See Exhibit H.25.**

## **26. Code Enforcement - The Orchards Update**

Mr. Sam Barber stated they reached an agreement with the developer to pay a \$10,000 fine and he will continue to correct violations, get an engineer's letter to Environmental Services within 10 days, and will continue to stay in compliance. Mr. Laughter stated the developer will be in contempt if there are stormwater violations.

Supervisor Denison asked if there was any compensation awarded to the man that is getting the water runoff that muddied his pond and yard. Mr. Laughter stated Mr. Fischer has cut a ditch through Mr. Blan's property to take the runoff and they have an agreement to fix that when construction is done. He said Mr. Blan is satisfied with the results and said he just wants only clean water to flow onto his property.

## **27. Sheriff's Department – Request to Add Five Officers**

Sheriff Rasco stated he needs to add five people in the narcotics divisions as almost every traffic stop involves drugs. He said he thought this would save money by not paying overtime. He stated the cost would be \$132,596 for the remainder of this budget year.

Supervisor Caldwell asked about the School Resource Officers. Sheriff Rasco stated too many people know them and these officers would be undercover. He stated the SROs go out on patrol when school is out. Supervisor Medlin asked when the city would take over Center Hill schools. Sheriff Rasco stated they are supposed to; but they don't have enough officers to cover all the schools.

Supervisor Caldwell said the Sheriff's Department added six new officers this year for ICAC and part of that was from the COPS grant. Mrs. Lynchard affirmed and said the County will have to take up those salaries in three years. Supervisor Caldwell asked was there anything in the Sheriff's budget that would help cover the additional officers. Sheriff Rasco said they won't know until the end of the year. Supervisor Caldwell said her concern is how to fund the request for more officers because it will be a continuous expense.

Supervisor Gardner said he would like to see the annual cost. Supervisor Medlin said it looks like \$350,000 to \$375,000 per year. Supervisor Caldwell said they also have to look at the five officers now covered by the grant money.

Supervisor Lee asked how long it would take to find and hire five officers. Sheriff Rasco said it will probably take a while. He said it is hard to get anyone to be in law enforcement at all. Supervisor Lee said they will probably have to look outside this area so they are not known.

Supervisor Medlin asked if losing some of the subdivisions in the annexation area would free up some officers. Sheriff Rasco stated they made 105 calls this past year to assist Olive Branch in one subdivision. He said they are constantly on the go.

Supervisor Medlin suggested Mrs. Lynchard, Mrs. Freeze, Mrs. Ford, and Sheriff Rasco meet and talk about the real costs. Supervisor Gardner said the board could find the money for this year; but they would have to look at the costs for the coming years as well as outfitting the new officers with cars, guns, vests, etc. He said he agrees with the need; he just wants to see the numbers.

Supervisor Caldwell said a seasoned person won't come in at beginning pay. Sheriff Rasco said they can move some people around and hire new deputies.

Supervisor Gardner asked if there was any grant money available. Sheriff Rasco said he did not think so. Supervisor Medlin said they used to get grants for Metro Narcotics. Supervisor Lee said they had to stop that because some cities did not want to participate. He said Metro is a good thing so the officers know who they are working with. Supervisor Gardner asked if DEA worked with the Sheriff's Department. Sheriff Rasco affirmed. Mrs. Lynchard said she would get Ms. Garrett looking for some grant money.

## **28. Road Department – Insurance Matter**

Mr. Jarman stated a lady called the Road Department and said rocks were falling off a truck and hitting her car. He said she reported the truck number at the time it was happening and they were able to confirm that the truck was in that area. He said the insurance company turned down the claim and said it was a road hazard. Mr. Jarman said the damage was from the County's truck and he thought they should pay it. He said they had the lady go to the body shop that the County uses and she got a quote of \$600 to fix the damage and resolve any potential claims. Mrs. Lynchard stated she can call SouthGroup and tell Ms. Edmiston the circumstances and she felt this would be an exception. She stated this would be a small claim.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to authorize paying for the damage as requested 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 Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

## **29. Request to Appoint Lana Herbert as Assistant Receiving Clerk for All Departments**

Mrs. Irving stated Mrs. Herbert has been training as a receiving clerk and needs to be approved for all departments to receive.

Supervisor Ray Denison made the motion and Supervisor Jessie Medlin seconded the motion to appoint Lana Herbert as Assistant Receiving Clerk for all departments.

The motion passed by a vote as follows:

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

## **30. Road Department – Equipment Repair**

Mr. Jarman stated they had an issue with one of the backhoes and sent it to be looked at. He stated once the repair shop got it torn down; it ended up being a much larger repair. He stated at

that point it was too late to take the machine somewhere else to get another quote. Mrs. Lynchard said as long as this does not happen continuously from the same person it is okay. Mr. Jarman stated the estimated is about \$8,000. Mrs. Irving stated there are actually two purchase orders for this as the first one was for the anticipated repair. She stated the second purchase order ties back to the first one showing the additional amount, and this was consistent with the purchasing laws. Mrs. Lynchard stated that makes a good paper trail. She said if this were to happen quite often, it would need to be look at; but every once in a while is different. Mr. Jarman stated he will bring the costs to the next meeting for the Board information.

## I. PLANNING

### 1. Public Hearing 1:00 pm

Supervisor Caldwell made the Motion and Supervisor Lee seconded the Motion to open the Public Hearings scheduled for today.

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

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

- a. **Enclave PUD (797) – Application is for rezoning of 50.46 acres from AR and C1 to PUD. Identified as parcel # 306305000 0000900 Located on the south side of Byhalia Road, west of Craft in Section 3, Township 3, Range 67 and is zoned AR and C1 (District 5)  
Applicant: Eagle Land, LLC**

Supervisor Caldwell recused herself from this item.

Mr. Hopkins presented the Enclave PUD for rezoning of 50.46 acres from AR and C-1 to PUD. Mr. Bob Barber was present to represent the application.

Mr. Barber presented a power point that included the site overview and presented the following as examples of a change in the neighborhood:

1. Construction of I-269
2. Construction of Lewisburg Schools
3. Increased residential growth
4. New subdivision approvals in the area
5. PUD and C4 approvals in the area
6. Improvements to Craft Road
7. A nearby utility substation has been built
8. Increased demand for houses
9. Complies with the I-269 Corridor Study
10. Complies with the Comprehensive Plan

The presentation included drawings showing the entrances of the development and explained the fencing plan to address questions from the Planning Commission. Mr. Barber stated there will be fencing on the west and south property lines of the development.

Mr. Barber stated there will be detailed design standards for the commercial portion in the masterplan. He stated the minstorage will be of a high quality character design.

Supervisor Medlin asked how far the entrance of the residential portion will be from the curve in the Craft Road. Mr. Barber stated it will be 150-175 ft. but can be moved if needed.

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

Supervisor Denison asked what the design and material the fence will be on the west and south boundaries of the development. Mr. Barber explained the design of the fencing and stated they

will be cedar plank. Supervisor Denison stated he would like for the Board to be able to review the fence design before it is built. Supervisor Denison asked where the trees/shrubs will be located in relation to the fencing. Mr. Barber stated they will be inside the fencing. There was discussion of the common open space along Craft Rd and who will maintain the common open space. Mr. Barber stated there will be a residential and commercial HOA to maintain the common open space.

Supervisor Denison asked if there will be a berm between the residential portion and commercial portion. Mr. Barber stated there will be a berm between the residential and commercial portions. Supervisor Denison asked if there will be any residential in the commercial portion. Mr. Barber stated there will not be.

Supervisor Denison asked if it is real stucco in the design requirements. Mr. Barber stated it is real stucco.

Supervisor Denison asked what the phasing schedule is for the development. Mr. Barber stated the residential portion will be Phase 1 and the commercial portion will be Phase 2. Supervisor Denison asked what the projected build out of the development is. Mr. Mike Bailey stated he anticipates the build out to take 3-4 years.

Supervisor Denison asked who will maintain the ponds in the residential portion of the development. Mr. Barber stated the two existing ponds will be rehabbed and others added as needed for detention. Supervisor Gardner asked if any dirt work has been done. Mr. Barber stated there hasn't been any dirt work done.

Supervisor Lee stated that he has spoken with several neighbors and is representing some of their concerns. He stated he is concerned because a PUD was approved for the property to the south with similar homes and was later sold to another developer and the homes were nothing like what was original presented. If this development is approved the home requirements need to be made a part of the covenants so they cannot change. He then stated the Board has asked several times for larger lots in the Lewisburg area, especially south of Byhalia Road, and would like to see the lots in this development be at least R-30 size lots. He stated he would also like to see no outside parking at the ministorage.

Mr. Barber stated the Comp Plan draws a transition line just south of this site, so this site is well within the transition zone. He then explained the transition zone as described in the Comp Plan. He stated the site is more suitable for 10,000-12,000 sqf lots than for larger size lots. Mr. Barber stated the proposed lot sizes are the same as in the Villages at Hawks Crossing Subdivision.

Supervisor Lee stated he has not met with the developer and Mr. Barber. He stated again he is concerned with the lot sizes. Supervisor Medlin stated that 1 ½ acre lots are selling in this area and feels these lots need to match the other lots in the area. He then stated he feels there needs to be something at the end of the stub road on the west side of the development to keep ATVs off Mr. Hughes property.

Supervisor Lee stated there are concerns/problems in Hawks Crossing due to the small lot sizes. He then stated he wants to see the area develop into a community that holds its value. Mr. Barber stated the applicant would be willing to increase the minimum home size. Mr. Bailey stated lot sizes do not add value, home sizes add value. Supervisor Gardner asked what Mr. Bailey suggested the minimum square footage be. Mr. Bailey stated 2,500 sqf. Supervisor Gardner asked where the garages would be located on the homes. Mr. Barber stated the garages would be side or rear load. Supervisor Lee stated he feels the design of the homes is very important. Supervisor Denison asked if a pattern book can be provided for the development.

Supervisor Lee made a Motion and Supervisor Medlin seconded the motion to table this item until the May 17, 2021 meeting.

**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, RAY DENISON</b>	<b>YES</b>

**FOURTH DISTRICT SUPERVISOR, LEE CALDWELL  
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE**

**ABSENT  
YES**

- b. East Lake (799) – Application is for rezoning of 120.93 acres from A to R-20. Identified as parcel # 307204000 0001002 and 307204000 0000800 located on the south and east side of Byhalia Road, west of Foxwood Lane in Section 04, Township 3, Range 7 (District 5)  
Applicant: Mark Utley**

Mr. Nicholas Kreunen requested this item be tabled until May 17, 2021.

Supervisor Lee made a Motion and Supervisor Denison seconded the Motion to table the East Lake application for rezoning of 120.93 acres from A to R-20 until the May 17, 2021 Board of Supervisors meeting.

**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, RAY DENISON</b>	<b>YES</b>
<b>FOURTH DISTRICT SUPERVISOR, LEE CALDWELL</b>	<b>YES</b>
<b>FIFTH DISTRICT SUPERVISOR, MICHAEL LEE</b>	<b>YES</b>

- c. Bakersfield West (800) – Application is for rezoning of 108.5 acres from A to R-20. Identified as parcel # 2077260000000300 located on the south side of Bakers Trail, west of Laughter Rd in Section 26, Township 2, Range 7 and is zoned A (District 5)  
Applicant: RR Bridgforth Heirs, LLC**

Mr. Hopkins presented the Bakersfield West application for rezoning of 108.5 acres from A to R-20. Mr. Joe F. Lauderdale was present to represent the application.

Mr. Lauderdale stated this is additional property the Bridgforth Family would like to rezone. He stated the restrictive covenants and requirements are the same as the existing Bakersfield West Subdivision. He listed the following as examples of changes in the neighborhood:

1. New roads
2. Utilities installed
3. Increased approval of subdivisions
4. Increased residential growths
5. Increased demand for housing

Supervisor Denison asked if this rezoning will include the rest of the property that makes up Bakersfield West Subdivision. Mr. Lauderdale stated it is not, there is still another 40 acres that will remain.

Supervisor Lee asked where the entrances and exits will be. Mr. Lauderdale stated there will be a construction entrance on to Malone Road and access through the existing subdivision at Bakersfield Way.

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

Supervisor Lee made a Motion and Supervisor Caldwell seconded the Motion to approve the Bakersfield West application for rezoning of 108.5 acres from A to R-20 finding after consideration of the recommendation by the Planning Commission, the comments of the applicant and the public from this meeting, documents presented, his knowledge of the area, this rezoning will not adversely affect the character of the surrounding residential neighborhood, that there is substantial evidence of a change in the character of the neighborhood and there is a demonstrated public need for the zoning.

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

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

Supervisor Lee made the Motion and Supervisor Medlin seconded the Motion to close the Public Hearings scheduled for today.

**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, RAY DENISON</b>	<b>YES</b>
<b>FOURTH DISTRICT SUPERVISOR, LEE CALDWELL</b>	<b>ABSENT</b>
<b>FIFTH DISTRICT SUPERVISOR, MICHAEL LEE</b>	<b>YES</b>

**2. Preliminary Subdivision**

- a. Bakersfield West (7564) – Application is for preliminary subdivision of 60 lots on 73.12 acres. Identified as parcel #309515000 0000100, located on the east side of Malone Rd and south of Pleasant Hill Rd in Section 26, Township 2, Range 7 is zoned R-20 (District 5)  
Applicant: RR Bridgforth Heirs, LLC**

Mr. Hopkins presented the Bakersfield West application for preliminary subdivision of 60 lots on 73.12 acres. Mr. Joe F. Lauderdale was present to represent the application.

Mr. Lauderdale stated this is the northern portion of the property rezoned earlier in the meeting. He stated this section ties into the existing Bakersfield West Subdivision to the north. He then stated there will be a construction road on to Malone Road and will also have two entrances. Supervisor Medlin asked if the road design for this phase is the same as the road design in the existing Bakersfield West Subd. Mr. Lauderdale stated they are the same, a 20 foot wide road with a 5 foot wide walking lane. He then stated they are also requesting a side setback of 5 ft like in the existing Bakersfield West Subdivision.

Supervisor Lee made a Motion and Supervisor Medlin seconded the Motion to approve the Bakersfield West application for preliminary subdivision of 60 lots on 73.12 acres to include a side setback of 5 ft and approval for the Board President to sign the Residential Development Agreement and the Erosion Control Agreement.

**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, RAY DENISON</b>	<b>YES</b>
<b>FOURTH DISTRICT SUPERVISOR, LEE CALDWELL</b>	<b>ABSENT</b>
<b>FIFTH DISTRICT SUPERVISOR, MICHAEL LEE</b>	<b>YES</b>

- b. The Neighborhood at Pebble Ridge (7563) – Application is for preliminary subdivision of 21 lots on 60.8 acres. Identified as parcel #309515000 0000100, located on the East side of Red Banks Road and north of Lee Road, in Section 7, Township 3, Range 5 is zoned A (District 1)  
Applicant: EBI, LLC**

Mr. Hopkins presented The Neighborhood at Pebble Ridge application for preliminary subdivision approval of 21 lots on 60.8 acres. Mr. Joe F. Lauderdale was present to represent the application.

Supervisor Medlin asked where this portion is located. Mr. Cardosi showed the Board a drawing created by staff that show all the portions of the development.

Mr. Lauderdale stated the property to the north is property Keith Allen is developing known as The Pines at Stonewall. He then stated the stub road in the proposed development will connect to that development eventually.

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

Supervisor Medlin made a Motion and Supervisor Lee seconded the Motion to approve The Neighborhood at Pebble Ridge application for preliminary subdivision of 21 lots on 60.8 acres to include approval for the Board President to sign the Residential Development Agreement and the Erosion Control Agreement.

**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, RAY DENISON</b>	<b>YES</b>
<b>FOURTH DISTRICT SUPERVISOR, LEE CALDWELL</b>	<b>ABSENT</b>
<b>FIFTH DISTRICT SUPERVISOR, MICHAEL LEE</b>	<b>YES</b>

**3. Final Subdivision**

- a. **Red Banks Rd Subd/Pebble Ridge, Section D (7557) – Application is for final subdivision plat approval of 19 lot on 51.76 acres. Subject property is located on the East side of Red Banks Road and north of Lee Road, in Section 7, Township 3, Range 5 and is zoned A. (District 1)  
Applicant: EBI, LLC**

Mr. Hopkins presented the Red Banks Subd/Pebble Ridge Subd, Sec. D for final subdivision of approval of 190 lots on 51.76 acres. Mr. Joe F. Lauderdale was present to represent the application.

Mr. Lauderdale stated this plat substantially conforms to the preliminary plat and will have the same restrictive covenants as the existing phases of Red Banks Subd/Pebble Ridge Subd.

There was discussion about the LOMRF.

There was discussion about cluster boxes.

Supervisor Medlin made a Motion and Supervisor Lee seconded the Motion to approve the Red Banks Subd/Pebble Ridge Subd, Sec. D for final subdivision of approval of 19 lots on 51.76 acres to include approval for the Board President to sign the Residential Development Agreement and the Erosion Control Agreement.

**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, RAY DENISON</b>	<b>YES</b>
<b>FOURTH DISTRICT SUPERVISOR, LEE CALDWELL</b>	<b>ABSENT</b>
<b>FIFTH DISTRICT SUPERVISOR, MICHAEL LEE</b>	<b>YES</b>

- b. **Red Banks Rd Subd/Pebble Ridge, Section E (7558) – Application is for final subdivision plat approval of 19 lot of 46.4 acres. Subject property is located on the East side of Red Banks Road and north of Lee Road, in Section 7, Township 3, Range 5 and is zoned A. (District 1)**

**Applicant: EBI, LLC**

Mr. Hopkins presented the Red Banks Subd/Pebble Ridge Subd, Sec. E for final subdivision of approval of 190 lots on 46.4 acres. Mr. Joe F. Lauderdale was present to represent the application.

Supervisor Medlin stated he is concerned with flooding on some of the lots and asked if the lot lines will go to the center of the creek. Mr. Lauderdale stated there is an easement to allow for maintenance of the creek and that only one of the lots touches Byhalia Creek. Supervisor Medlin asked if there is something on the deed and something on the plat letting the homeowner know they are responsible for maintenance of the creek. Mr. Lauderdale stated there is a note on the plat. Supervisor Medlin stated something needs to be on both the deed and the plat. Mr. Lauderdale stated he will get some standard language together to put on the plat and the deed. Mrs. Misty Heffner stated it may need to be in the ordinance that it must be on the plat that the maintenance of the creek is the responsibility of the homeowner.

Supervisor Medlin made a Motion and Supervisor Lee seconded the Motion to approve the Red Banks Subd/Pebble Ridge Subd, Sec. E for final subdivision of approval of 19 lots on 46.4 acres, conditioned upon proper notation regarding ditch/creek maintenance lying with the property owner be included on the plat and deed, and to include approval for the Board President to sign the Residential Development Agreement and the Erosion Control Agreement.

**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, RAY DENISON</b>	<b>YES</b>
<b>FOURTH DISTRICT SUPERVISOR, LEE CALDWELL</b>	<b>ABSENT</b>
<b>FIFTH DISTRICT SUPERVISOR, MICHAEL LEE</b>	<b>YES</b>

**4. Minor Lot**

- a. Fiona Lily 2 Lot Minor Lot (7561) Final Approval of 2 lots on 2.73 acres to include a waiver of easement width. Identified as Parcel # 2-07-7-35-00-0-00013-01. Subject property is located on the east side of Malone Road and south of I-269 in Section 35, Township 2, Range 7 and is zoned A (District 5)  
Applicant: Ian Sammons**

Mr. Hopkins presented the Fiona Lily 2 Lot Minor Lot application for approval of 2 lots on 2.73 acres to include a waiver of the easement width. Mr. Ian Sammons was present to represent the application.

Mr. Sammons stated the division is to allow him to build a home for his in-laws on the property. He then stated the easement is only 27 ft wide instead of the required 40 ft.

Supervisor Medlin made a Motion and Supervisor Lee seconded the Motion to approve the Fiona Lily 2 Lot Minor Lot application for approval of 2 lots on 2.73 acres to include a waiver of the easement width so as to allow for a 27' easement.

**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, RAY DENISON</b>	<b>YES</b>
<b>FOURTH DISTRICT SUPERVISOR, LEE CALDWELL</b>	<b>ABSENT</b>
<b>FIFTH DISTRICT SUPERVISOR, MICHAEL LEE</b>	<b>YES</b>

**5. Consent Minor Lot**

- a. **Robert Williams 1 Lot (SUB-000009-2021) Application is for approval of 1 lot on 2.5 acres out of 12.74 acres. Identified as parcel 2064170000001004. Subject property is located on the north side of Dunn Lane, west of Craft Road in Section 17, Township 2, Range 6 and is zoned AR (District 5)  
Applicant: Robert Williams**
- b. **Michael Chalmers Minor Lot (SUB-000024-2021) Application is for approval of 2 lots on 6.74 acres. Identified as parcel 2098340000001501. Subject property is located on the west side of Baker Road, south of Wilson Mill Road in Section 34, Township 2, Range 9 and is zoned AR (District 3)  
Applicant: Ben Smith**
- c. **Southern Magnolia Minor Lot (SUB-000025-2021) Application is for approval of 2 lots on 5 acres. Identified as parcel 307623000 0001000. Subject property is located on the east side of Malone Road, south of Holly Springs Road in Section 23, Township 3, Range 7 and is zoned A (District 5)  
Applicant: Andy Richardson**
- d. **Barber Minor Lot (SUB-000032-2021) Application is for approval of 2 lots on 5.1 acres. Identified as parcel 3063080000000600. Subject property is located on the south side of Vaiden Road, east of Vaiden Road in Section 8, Township 3, Range 6 and is zoned A (District 5)  
Applicant: Debra Barber**
- e. **Dunaway Minor Lot (SUB-000034-2021) Application is for approval of 2 lots on 10 acres. Identified as parcel 309209000000401. Subject property is located on the north side of West Commerce, west of Lions Club Road in Section 9, Township 3, Range 9 and is zoned A (District 4)  
Applicant: Charlotte Dunaway / Simon Dean**
- f. **Five Cypress Minor Lot (SUB-000035-2021) Application is for approval of 2 lots on 10 acres. Identified as parcel 2088280000001800. Subject property is located on the east side of Malone Road, south of Holly Springs Road in Section 28, Township 2, Range 8 and is zoned AR (District 4)  
Applicant: John Sayger**
- g. **Garrett Gray Minor Lot (SUB-000036-2021) Application is for approval of 2 lots on 10 acres. Identified as parcel 2053060000000204. Subject property is located on the east side of Polk Road, north of Whispering Pines Road in Section 6, Township 2, Range 5 and is zoned AR (District 1)  
Applicant: Everett West**
- h. **Hosanna 2<sup>nd</sup> Revision (SUB-000037-2021) Application is for approval of revision of a lot line. Identified as parcel 3074200000000300. Subject property is located on the south side of Hossana Road, south of McIngvale Road in Section 20, Township 3, Range 7 and is zoned AR (District 5)  
Applicant: Michael Hughes**
- i. **First Revision of Lot 1 Johnston Estate (SUB-000041-2021) Application is for approval of 4 lots on 8.6 acres. Identified as parcel 3071120000000303. Subject property is located on the east side of Laughter Road, south of Bright Road in Section 12, Township 3, Range 7 and is zoned A (District 5)  
Applicant: Everett West**

- j. **Bishop Acres (SUB-000042-2021) Application is for approval of 2 lot on 7.3 acres. Identified as parcel 3072040000002400. Subject property is located on the north side of Bright Road, west of Getwell Road in Section 4, Township 3, Range 7 and is zoned A (District 5)  
Applicant: Emily Bishop**

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

Supervisor Medlin asked what the reason for the division of the property in the Barber Minor Lot. Mr. Cardosi stated the applicant is selling the acreage to the neighbor on Lot 3 of the neighboring subdivision and keeping the lot with the home. Supervisor Lee stated there needs to be a note on the plat stating the lot being created cannot be accessed by the easement in Phillips Buck Minor Lot to the east of the proposed site.

Supervisor Lee made the Motion and Supervisor Medlin seconded the Motion to approve the items and actions set forth on the Consent Agenda as presented with the condition that a note be placed on the Barber Minor Lot that there be no access to the created lots from the existing easement on the properties to the east.

**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, RAY DENISON</b>	<b>YES</b>
<b>FOURTH DISTRICT SUPERVISOR, LEE CALDWELL</b>	<b>ABSENT</b>
<b>FIFTH DISTRICT SUPERVISOR, MICHAEL LEE</b>	<b>YES</b>

6. **Other**

a. **Refund Request – Hammons**

Mr. Hopkins presented a request by Bradley Hammons for a refund of fees for a pool permit in the amount of \$100.00. The property is within the City of Hernando.

Supervisor Medlin made a Motion and Supervisor Denison seconded the Motion to approve the refund request by Bradley Hammons for a refund of fees for a pool permit in the amount of \$100.00 to include authorization for the Clerk to write the check.

**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, RAY DENISON</b>	<b>YES</b>
<b>FOURTH DISTRICT SUPERVISOR, LEE CALDWELL</b>	<b>ABSENT</b>
<b>FIFTH DISTRICT SUPERVISOR, MICHAEL LEE</b>	<b>YES</b>

See Exhibit I.

**J. EXECUTIVE**

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

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to adjourn the Board meeting until Monday, May 03, 2021 at 9:00 a.m.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>

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

YES  
YES

THIS the 3rd day of May, 2021, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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Mark Gardner, President  
DeSoto County Board of Supervisors