

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

**DISTRICT FOUR LEE CALDWELL, PRESIDING**

**October 6, 2014**

**A. CALL TO ORDER**

The October 6, 2014 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Lee Caldwell, Board President.

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

Supervisor Jessie Medlin	District 1
Supervisor Mark Gardner	District 2
Supervisor Bill Russell	District 3
Supervisor Lee Caldwell	District 4
Supervisor Harvey Lee	District 5
Sheriff Bill Rasco	Sheriff
W. E. Sluggo Davis	Chancery Clerk
Vanessa Lynchard	County Administrator
Tony Nowak	Board Attorney

**B. INVOCATION**

Pastor David Cox of the Hernando Methodist Church presented the invocation.

**C. PLEDGE OF ALLEGIANCE**

**D. CITIZENS REMARKS & PRESENTATIONS – Proclamation to Proclaim the Month of October Domestic Violence Awareness Month**

Supervisor Lee Caldwell read the proclamation as follows:

**PROCLAMATION  
DOMESTIC VIOLENCE AWARENESS MONTH  
OCTOBER 2014**

*WHEREAS, domestic violence impacts countless DeSoto Countians, without regard to age, race, religion, or economic status; as victims suffer at the hands of a spouse or partner, it affects their children, families, and entire communities; and*

*WHEREAS, every woman, child, and man has the right to live free of violence at home and in neighborhoods, schools, communities across DeSoto County; and*

*WHEREAS, domestic violence violates a person’s trust and feeling of safety. The rights and needs of domestic violence victims are a priority for DeSoto County and the nation as a whole; and*

*WHEREAS, there is compelling evidence that we can be successful in reducing domestic violence in DeSoto County through prevention education, increased awareness, and insuring justice for victims of violence by holding perpetrators responsible for their actions; and*

*WHEREAS, important partnerships have been formed among criminal and juvenile justice agencies, healthcare providers, allied professionals, and victim services to assist victims of domestic violence and their families. In DeSoto County the House of Grace provides a resource*

*for victims of domestic violence; and*

*WHEREAS, we encourage domestic violence victims and their families to seek assistance from appropriate victims' services organization.*

*NOW, THEREFORE, We, the DeSoto County Board of Supervisors, do hereby proclaim the month of October as:*

**DOMESTIC VIOLENCE AWARENESS MONTH**

*In DeSoto County, Mississippi and urge our citizens to work together to eliminate domestic violence from our community.*

*In Witness whereof we have here into set our hand and caused this seal to be affixed this sixth day of October, 2014.*

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**Lee Caldwell, President  
DeSoto County Board of Supervisors**

Ms. Lorine Cady thanked the Board of Supervisors, Chancery Clerk Sluggo Davis and Sheriff Bill Rasco and his Officers for all they do for the House of Grace. She said the Board has helped with funding and even paving their parking lot and they truly appreciate everything they have done for the House of Grace. Ms. Cady said everything is going well this year and they are not asking for additional funds.

Ms. Cady said they work with Memphis and their number one problem is domestic violence. Ms. Cady said the House of Grace represents nine counties in northwest Mississippi and she extended thanks to all of the supporters. She said that Sheriff Rasco can attest to the problems with domestic violence.

Ms. Cady introduced Ms. Frieda Brown who is on the Board of the House of Grace.

Supervisor Caldwell said this Board appreciates the tireless work by Ms. Cady and Ms. Brown and thanked them for all they do in regards to aiding victims of domestic violence, including the children involved in these situations.

Supervisor Lee Caldwell asked if there was anyone else present who wished to address the Board regarding a topic not listed on the Agenda. No one came forward.

**E. APPROVAL OF SEPTEMBER MINUTES**

The Board of Supervisors considered the minutes for September as presented.

The official minutes of the Board of Supervisors were read for the month of September 2014.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to accept the minutes of the Board of Supervisors for September, 2014, as presented this date with changes to the draft minutes previously submitted. The motion included approving all minutes as presented with those changes pursuant to Section 19-3-27 of the Mississippi Code of 1972, annotated.

The motion passed by a vote as follows:

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

**See Exhibit E**

**F. APPROVAL OF AGENDA: ADDITIONS AND DELETIONS**

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

Vanessa Lynchard requested adding the following:

Old Business

1. Swinnea Road Update

Supervisor Mark Gardner met with the City of Southaven last week to discuss options for sidewalks. He said that option “C” meets all the standards for bike and pedestrian lanes due to cost. Supervisor Gardner said that property acquisition came in a little under estimate. He said that Neel Schaffer does want to pursue this option. Supervisor Gardner said that the City of Southaven planned to bid this out as originally designed but are now considering an alternate bid with the pedestrian and bike lane.

Supervisor Lee Caldwell said there may be MPO grant money to build the bike lanes. Supervisor Caldwell said she does not want to add anymore to the project that would require more easements. She said the Mayor is very interested in completing this.

No action was taken on this item.

Road Manager Andy Swims said that Soccer Field Road is open now and really looks good. Sheriff Bill Rasco agreed, and said they did a good job on the road.

2. Off-Street Parking

Supervisor Bill Russell said the County continues to have problems with people parking in “No Parking” areas right next to the “No Parking” sign. Supervisor Russell said the one he is referring to now, is at Poplar Corner and Goodman Road. He said Attorney Jody Neyman had recommended adoption of a new ordinance that would allow the Sheriff’s Department to issue tickets. Supervisor Russell asked the Board if they were interested in forming a committee to draft a new ordinance that would address this issue. The proper ordinance would allow the Board of Supervisors and the Sheriff to have authority with these issues. If a person parks on public property and the vehicle has no tags, the Sheriff can tow the vehicle. If someone parks on private property now there is nothing the Board or Sheriff can do about it.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve a committee to review option to control illegal parking on private property; and to appoint Supervisor Bill Russell and Sheriff Bill Rasco.

The motion failed by a vote as follows:

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

New Business

3. Inventory Disposition – Road Management: Mosquito Sprayer

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve the following preliminary disposition for a mosquito sprayer for the Road Department:

DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	YR ACQ	COST	LOCATION AT PRELIMINARY
LONDON FOG MOSQUITO SPRAYER	2014	TRADE-IN	10	6T	CENTRAL MTNC

The motion passed by a vote as follows:

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

**See Exhibit F.3**

4. Habitat for Humanity

After having determined that the request for a contribution of \$150.00 for the Habitat for Humanity 5K-10K Run, being held October 9<sup>th</sup>, 2014, at 1:00 p.m. at Snowden Grove in Southaven would benefit the county and met the guidelines of the policy adopted by the Board of Supervisors, in accordance with Section 17-3-3, of the Mississippi Code of 1972 for Advertising County Resources; the Board of Supervisors did make a determination that the above request would advertise the resources and possibilities of DeSoto County and thereby advance the moral, financial and other interests of DeSoto County, Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to contribute \$150.00 from Advertising County Resources.

The motion passed by a vote as follows:

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

**See Exhibit F.4**

5. Cable Regulations

Supervisor Mark Gardner expressed concerns about the residents of DeSoto County continuously receiving poor customer service from Comcast. Supervisor Gardner said the Board met with Comcast representatives and he has not seen improvement in customer service. He said the residents in Edgewater have experienced outages for several days and has still not been repaired, and the customer service is incredibly poor. Supervisor Gardner said the Board received Comcast Franchise Agreement for DeSoto County last week and he will not vote on it until they improve their service.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to authorize the Board Attorney to write a complaint letter to the FCC on the level of service that Comcast provides to DeSoto County.

The motion passed by a vote as follows:

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

Supervisor Gardner said that Supervisor Harvey Lee received phone calls as well.

Board Attorney Tony Nowak said the first step is the letter to the FCC; the second step is to set up standards to be included as part of any franchise renewal; and the third step is to reject the Franchise Agreement.

6. USDA Lease Agreement

Supervisor Mark Gardner said that the space for NRCS was not completed and the USDA got a one year extension and it is has expired.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to authorize Vanessa Lynchard and Tony Nowak to work on the lease agreement with USDA for NRCS space contingent on completion of the project.

The motion passed by a vote as follows:

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

#### 7. Bond Refinance

DeSoto County Financial Advisor Demery Grubbs said they are continuously looking at the county bond for opportunities to refund existing bonds in order to improve the County's financial position. Mr. Grubbs said they are currently reviewing the 2007 and 2009 bonds. He said they could reissue the 2007 and 2009 bonds with advanced refunding at 2.10% refinancing. That would mean a savings to the County of \$441,000. Mr. Grubbs said we could replace the higher interest rate with lower interest rate and the maturity date would remain the same, 2024.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve allowing the DeSoto County Financial Consultant to proceed with the Piper Jaffrey and Smith Phillips Law Firm to work on bond refinancing for the 2007 and 2009 bonds and to bring the documents back to the Board of Supervisors.

The motion passed by a vote as follows:

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

Mr. Grubbs said he received numbers from DCRUA about refinancing. Mr. Grubbs said they could do a revenue bond but it must be issued through the County. He said if DCRUA wants to proceed, they would pledge their revenues and not the County's, but it has to be issued through the County. It is DCRUA's debt and could save about one half million dollars.

Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to approve authorizing the DeSoto County Financial Advisor to precede working with Duncan Williams about refinancing of a revenue bond for DCRUA and bring the documents back to the Board of Supervisors.

The motion passed by a vote as follows:

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

#### 8. MDOT Payment on I-269

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve writing a check in the amount of \$500,000 for payment on I-269 Craft Road Bridge.

The motion passed by a vote as follows:

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

Supervisor Bill Russell, Third District YES  
Supervisor Lee Caldwell, Fourth District YES  
Supervisor Harvey Lee, Fifth District YES

9. Corp of Engineer Update

Supervisor Mark Gardner said there was a very positive meeting with the Corp of Engineering regarding a comprehensive study of flooding in the County. Supervisor Gardner said now there is money available and we just need someone to lead the process. He said that COG thought that the County should take the lead.

Supervisor Jessie Medlin asked if there were matching funds required. Supervisor Lee Caldwell said that 20% match is required but can be in-kind. She said the implementation could be done while the study is being done. Supervisor Medlin said we need to look at all avenues and federal money that is available. Supervisor Bill Russell said the drainage districts need to be active again.

No action was taken on this item.

10. Spring Lake Blvd – ROW - This item was later determined to qualify for executive session.

11. Chief Financial Officer Tom Arnold said there is a Road Department pickup truck in the body shop; the body shop will not release it until the County pays the \$2,000 deductible. He requested approval to file an insurance claim to get the truck out of the body shop.

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Chief Financial Officer to file an insurance claim for a deductible of \$2,000 so the body shop can release a Road Department truck.

The motion passed by a vote as follows:

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

12. Road Manager Andy Swims requested adding two items for possible executive session discussion under personnel. These items were later determined to qualify for executive session.

13. Mr. Swims also requested an item of new business: Finding of Fact – Spring Lakes Blvd.- College Hills Subdivision

Mr. Swims said there were damages to private property associated with drainage and erosion in College Hills Subdivision. He said it would be necessary to clean the swell and place rip rap between residences to allow the cross drain pipe to drain properly at an estimated cost of \$2,678.74.

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to accept the finding of fact and that the conditions between 3580 and 3550 Spring Lakes Blvd. in College Hills Subdivision would adversely affect the health, safety and welfare of the citizens of DeSoto County in accordance with Mississippi code section 19-5-92.1, that it would be necessary to clean the swell and place riprap between 3580 and 3550 Spring Lakes Blvd, College Hills Subdivision to allow the cross drain pipe to drain properly as this will help prevent future flooding and protect the road and right of way, and to authorize the Road Manager to proceed with the work at an estimated cost of \$2,378.74.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District YES  
Supervisor Mark Gardner, Second District YES  
Supervisor Bill Russell, Third District YES

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

14. Facilities Management Director Tony Martin said that there are water leaks at Ability Works. Mr. Martin said it will cost from \$27,000 to \$75,000 to stop the leaks but that is not a true estimate. They will need to cut into the walls to get a true estimate. The shrubs can be pulled up by the Road Department to let the water drain away from the building. Mr. Martin said he will need to get quotes on the rest of the work. He said that mold and mildew remediation is not in the estimate at this time.

Supervisor Mark Gardner said he appreciated all that Mr. Martin has done for DeSoto County and wished him well on his new endeavor.

Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to authorize the Road Manager to do the shrubbery removal work for Ability Works.

The motion passed by a vote as follows:

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

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to approve the Agenda with the additions and deletions set forth above.

The motion passed by a vote as follows:

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

## **G. CONSENT AGENDA**

The Board of Supervisors considered the following items on the meeting's Consent Agenda.

Animal Services Director Monica Mock added statistics to the Animal Shelter event listed as item G.7.a - DeSoto County Animal Services: Sept(Pets)ember Adoption and Shots Event held on September 13, 2014.

Supervisor Jessie Medlin noted that the Health Insurance claims are increasing. County Administrator Vanessa Lynchard said there are at least two claims that are very large and not completed at this time.

Chancery Clerk Sluggo Davis confirmed that the amounts on the subdivision bond include Forest Hill Estates. Road Manager Andy Swims said yes.

Supervisor Medlin asked about item G.6.d: Select Administrative Services for Contract Renewal. Sheriff Bill Rasco said this is for the services that reviews health claims for inmates at the jail.

Supervisor Medlin confirmed that item number G.7.b is the new contract with changes for the DeSoto County Rubbish Pit. He said that there was a meeting with DEQ and everything is going okay.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to approve the Consent Agenda as follows except for item G.12 which is approved in a separate motion.

### **1. Dept. of Human Resources: Monthly Health Claims**

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

Funding Request	Date Paid	Amount	Claim Type
<b>Date</b>			
9/1/14	9/3/14	\$82,391.89	Administration Fees
9/2/14	9/3/14	\$54,002.59	Medical
9/2/14	9/3/14	\$3,989.05	Dental
9/2/14	9/3/14	\$12,981.56	Pharmacy
9/8/14	9/9/14	\$84,601.30	Medical
9/8/14	9/9/14	\$4,023.10	Dental
9/8/14	9/9/14	\$15,688.13	Pharmacy
9/15/14	9/17/14	\$49,354.99	Medical
9/15/14	9/17/14	\$6,118.75	Dental
9/15/14	9/17/14	\$11,264.20	Pharmacy
9/22/14	9/23/14	\$161,090.06	Medical
9/22/14	9/23/14	\$8,601.35	Dental
9/22/14	9/23/14	\$15,031.54	Pharmacy
	<b>TOTAL</b>	<b>\$509,138.51</b>	

**2. Justice Court Report**

Criminal Cases Filed	175
Civil Cases Filed	658
Traffic Tickets Filed	1,820
Total Cases Filed	2,653
State Assessments	\$100,653.00
County General Fund	\$136,387.14
Total Collections	\$237,022.14

**3. Bailiff Pay**

Liz Medlin	\$285.00
Bobby Holloway	\$490.00
Brandon Hylander	\$245.00
Chris Plumlee	\$355.00

**4. Publication of Board Proceedings**

**5. Office of Finance & Accounting**

**a. Quarterly Budget Allocation for quarter ending December 21, 2014**

October 6, 2014

**QUARTERLY BUDGET ALLOCATIONS**  
For Quarter Ending December 31, 2014

TAX ASSESSOR:

**Department 103.....\$330,906.50**

TAX COLLECTOR:

**Department 104.....\$334,577.75**

SHERIFF:

**Department 200 (Sheriff Administration).....\$ 256,535.50**

**Department 201 (Aviation).....\$ 84,640.00**

**Department 202 (Patrol/Law Enforcement).....\$ 2,785,696.25**

**Department 214 (Highway Safety Grant).....\$ 45,706.00**



Department 215 (Occupant Protection Grant).	\$ 7,375.00
Department 218 (Impaired Driving Grant).....	\$ 12,500.00
Department 219 (SCAAP Funds).....	\$ 6,140.25
Department 220 (Custody of Prisoners).....	\$ 1,171,845.25
Department 222 (Prisoners' Medical Expense) \$	313,087.75
Department 223 (Juvenile Detention).....	\$ 277,809.25
Department 225(Search Unit).....	\$ 6,125.00
<b>TOTAL.....</b>	<b>\$4,967,460.25</b>

**b. Recap of Final Amended Budget**

DeSoto County, Mississippi							
Recap of Final Amended Budget							
2013-2014 Fiscal Year							
Fund #	Fund Name	Budgeted	Budgeted	Total	Budgeted	Budgeted	Total
		Revenues	Beginning Cash		Expenditures	Ending Cash	
001	General County	45,613,534	15,550,005	61,163,539	46,041,924	15,121,615	61,163,539
002	Special Levy Reappraisal	1,464,500	3,000,000	4,464,500	1,265,309	3,199,191	4,464,500
013	Unallocated Funds	1,235,776		1,235,776		1,235,776	1,235,776
024	Circuit Court Reporters	340,000	250,700	590,700	412,150	178,550	590,700
025	Circuit Court Administrator	97,550	200,000	297,550	163,550	134,000	297,550
026	Adult Drug Court	285,000	850,000	1,135,000	501,303	633,697	1,135,000
027	Chancery Court Reporters	200,250	70,000	270,250	214,200	56,050	270,250
028	Chancery Court Administrators	55,200	80,000	135,200	99,500	35,700	135,200
032	Juvenile Drug Court	1,040	25,000	26,040	1,200	24,840	26,040
033	Sheriff Canteen Fund	30,000	150,000	180,000	80,000	100,000	180,000
034	Sheriff Equitable Sharing Fund	20,000	130,264	150,264	30,264	120,000	150,264
044	EMA Grants Fund	280,000	142,705	422,705	292,705	130,000	422,705
051	Brentwood Originals	5,500	2,000	7,500	7,500		7,500
055	Sigma Supply		7,150	7,150		7,150	7,150
097	E-911 Fund	1,829,788		1,829,788	1,829,788		1,829,788
099	District Parks Funds		25,926	25,926	25,926		25,926
101	Recreational District Fund	350,926	50,000	400,926	385,560	15,366	400,926
103	Reimbursement for City Prisoners		850,000	850,000		850,000	850,000
104	Law Library		15,277	15,277	15,277		15,277
105	Solid Waste	1,749,000	2,003,270	3,752,270	2,371,798	1,380,472	3,752,270
106	Volunteer Fire	759,500	132,550	892,050	805,305	86,745	892,050
108	Motor Vehicle Registration	80,075	20,000	100,075	95,050	5,025	100,075
109	2012 JABG Grant		40,000	40,000	40,000		40,000
110	12LE017 Sheriff Grant	40,000		40,000	40,000		40,000
111	Postage	150,100	25,000	175,100	150,000	25,100	175,100
113	State Emergency Management Operating	20,000	30,000	50,000	35,000	15,000	50,000
114	Delta Trauma Care	12,000	40,000	52,000	26,000	26,000	52,000
120	SID-Forfeitures	109,137	200,000	309,137	199,937	109,200	309,137
123	SID-Seized Funds	25,000		25,000	15,000	10,000	25,000
125	DEQ Fines-Air Quality Fund	42,500		42,500	42,500		42,500
156	County-Wide Road Maintenance	6,761,550	8,973,988	15,735,538	10,441,342	5,294,196	15,735,538
160	Bridge and Culvert	6,170,000	17,026,012	23,196,012	20,134,588	3,061,424	23,196,012
163	Juvenile Court House Arrest	600		600		600	600
166	Stormwater Advisory Board	5,600	400	6,000	6,000		6,000
170	State Aid Road Funds	250,000		250,000	250,000		250,000
211	\$3.5 M Courthouse Renovation I&S		29,000	29,000		29,000	29,000
212	Administration Building I&S	75	51,500	51,575		51,575	51,575
214	1999 Refunding Bonds I&S	20	11,300	11,320		11,320	11,320
215	\$18,000,000 Bonds I & S	50	131,000	131,050		131,050	131,050
216	2007 Refunding Bonds	700,000	200,800	900,800	714,600	186,200	900,800
220	2002 Refunding Bonds I & S	20	6,000	6,020	2,500	3,520	6,020
221	2003 Refunding Bonds I & S	750	440,000	440,750	2,500	438,250	440,750
222	2004 22M Bonds I & S	827,600	825,000	1,652,600	1,245,000	407,600	1,652,600
223	2005 \$6.96M Bonds I & S	801,500	425,000	1,226,500	831,500	395,000	1,226,500
224	2009 Refunding Bonds	1,472,500	350,000	1,822,500	1,389,000	433,500	1,822,500
225	2009 16 Million Bonds I & S	1,251,000	450,800	1,701,800	1,386,500	315,300	1,701,800
226	2009 Refunding Bonds-MDB I & S	401,000	900,000	1,301,000	469,950	831,050	1,301,000
227	2010 Refunding Bonds I & S	831,700	925,000	1,756,700	819,232	937,468	1,756,700
228	2010 5 Million Bonds I&S	550,500	600,000	1,150,500	403,500	747,000	1,150,500
229	2012 G.O. Refunding Bonds I&S	610,100	40,000	650,100	598,000	52,100	650,100
231	2013 \$10.5 M Bonds I&S	690,100		690,100	679,312	10,788	690,100
290	Walls Sewer I & S	43,060		43,060	43,060		43,060
305	County Building Energy Project		341,626	341,626	341,626		341,626
309	I-69 Corridor Study-MPO Funds		17,983	17,983	17,983		17,983
313	Vol. Fire Dept. Building Renovations		250,000	250,000	250,000		250,000
315	2014 Facilities Projects	816,000	13,365,000	14,181,000	12,972,924	1,208,076	14,181,000
316	Johnson Creek Greenway Project	25,000		25,000	25,000		25,000
370	Jail Construction Project		375,000	375,000	5,225	369,775	375,000
380	\$22,000,000 Bonds Construction		1,252,500	1,252,500	1,250,000	2,500	1,252,500
501	Self-Funded Insurance	4,548,000	2,300,000	6,848,000	6,838,915	9,085	6,848,000
	<b>Totals</b>	<b>81,553,101</b>	<b>73,177,756</b>	<b>154,730,857</b>	<b>116,305,003</b>	<b>38,425,854</b>	<b>154,730,857</b>

**c. Inventory Control**

**1) Sheriff's Dept. – SID: Declaration of Forfeitures – Final**

DECLARATION OF FORFEITURES								
AGENCY	CASE #		DATE DECLARED	MFGR	YEAR	DESCRIPTION	SERIAL #	VALUE
SID	FORFEITURE & RELEASE	WESLEY TURNIPSEED	08/08/14	GMC	2007	ENVOY	1GKDS13S572224169	5800.00
COUNTY ASSET #44032						T210-L227-F120-D200		

DECLARATION OF FORFEITURES								
AGENCY	CASE #		DATE DECLARED	MFGR	YEAR	DESCRIPTION	SERIAL #	VALUE
SID	2014-31721	DEBBIE LOU EADS	08/27/14	HYUN	2002	XG3501 (SILVER)	KMHFU45E62A211612	2977.00
COUNTY ASSET #44050						T210-L227-F120-D200		

**2) E-911 Preliminary & Final**

ASSET #	GRANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	YR ACQ	COST	LOCATION AT PRELIMINARY
38075		CHEV 2007 TRAIL BLAZER	1GNDS13S472220004	ACCIDENT 08/22/14 @ 19:04	07	19K	COPART MEMPHIS TN

ATTACHED TO ASSET #	GRANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	YR ACQ	COST	LOCATION AT PRELIMINARY
** 32130 **		LEIBERT S3,24KVA UPS (HN)	SN:525624-500 (HN)	OUTDATED TECHNOLOGY - UNIT REPLACED	01	25K	CITY OF HERNANDO
** 32233 **		LEIBERT S3,24KVA UPS (SH)	SN:4572200001 (SH)	OUTDATED TECHNOLOGY - UNIT REPLACED	01	25K	CITY OF SOUTHAVEN
** 32235 **		LEIBERT S3,24KVA UPS (OB)	SN:525424-500 (OB)	OUTDATED TECHNOLOGY - UNIT REPLACED	01	25K	CITY OF OLIVE BRANCH

**6. Administrative Services – Contracts: Auto Renew**

**a. Circuit Court Record Preservation Contract & Addendum**

**b. Chancery Court Clerk Records Preservation Contract & Addendum**

**c. Mineral Wells United Methodist Church – Polling Location**

**d. Select Administration Service Contract Renewal**

**7. Establish as Part of the Formal Record and Enter into the Board's Minutes**

**a. DeSoto County Animal Services: Sept(Pets)ember Adoption and Shots Event held on September 13, 2014**

**b. Environmental Services: First Addendum to DeSoto County Rubbish Services Contract, approved by BOS Sept 15, 2014**

**c. Mississippi State Department of Health Jail Inspection**

**8. Road Department**

**a. Road Report    b. Work Schedule    c. Subdivision Road Bond Report**

**d. Road Department Employee Retirement/Resignation – Norman Tuggle (Truck Driver) – Resigned (Last Day of work – 10/3/2014)**

**9. Request to add Angela Gunter as Receiving Clerk for Sheriff’s Office**

Receiving Clerk for the following accounts effective immediately:

001-200 001-201 001-202 001-212 001-220 001-222 001-225 033-221 034-202 103-220 120-227

**10. Office of Procurement**

**a. Request to Accept & Approve Bid Specifications & Solicit Bids**

**1) Sheriff’s Department Uniform**

**2) Food Supplies for the Jail**

**3) Supply and Installation of Equipment for DeSoto County Sheriff Department Vehicles**

**11. Sheriff’s Dept.: Request Authorization for the Board President to Sign the Inmate Housing Reimbursement Reports for July & August, 2014**

**12. Animal Services: Accept donation of \$1000**

**13. Chancery Clerk Allowance (3) – \$1,866.66 \$1,250.00 \$1,350.00**

The motion passed by a vote as follows:

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

**See Exhibit G**

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to accept the donation to the Animal Shelter in the amount of \$1000.

The motion passed by a vote as follows:

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

**H. OLD BUSINESS**

**1. Correction for August 11, 2014 Minutes – Estates of Center Hill Phase D**

Director of Administrative Services Pat McLeod explained that this item was presented on August 11, 2014, as an addition to the Agenda. Ms. McLeod said the written notes for the minutes reflect that the item was added and acted upon but the discussion about the topic was inadvertently omitted from the minutes. Ms. McLeod presented a memo of explanation, a memo that was submitted as the exhibit and the notes taken on the topic by Administrative Assistant Jeannie Colvin.

After determining the discussion and exhibit for Estates of Center Hill Phase D was inadvertently omitted from the August 11, 2014 minutes, Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to amend the August 11, 2014 minutes as shown in the proposed correction, with the amendment being deemed effective as August 11, 2014, and to include the discussion and exhibit for Estates of Center Hill Phase D as presented on August 11, 2014; said

amendment being shown to be appropriate based on the notes taken during the meeting by the Administrative Assistant as presented to the Board and fully detailed in Exhibit H.1.

The motion passed by a vote as follows:

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

**See Exhibit H.1**

## **2. Wedgewood Bank & Stabilization Funding**

Assistant Engineer Scott Young proposed expanding this project along Nolehole Creek in order to shore up the ditch. Mr. Young said the estimate for the project would be at least \$150,000 with \$40,000 coming from each entity.

Supervisor Mark Gardner said there is a real problem in this subdivision and he met with NRCS and the residents two years ago. Supervisor Gardner said NRCS approved \$40,000 which is a small Band-Aid on a larger problem. He said he would like the project to be expanded. DCRUA has an exposed line so they will be involved as well as the City of Olive Branch.

Supervisor Gardner said there is one constituent that has lost 30 feet of her yard. He said she could lose her house because of the water erosion and is currently losing five feet of property annually.

Supervisor Bill Russell asked why Olive Branch is not taking the lead on this project. Road Manager Andy Swims said it is because this is on the County NRCS list. Mr. Swims said the Road Department does have money for work on the ditch. He said the money could partially be spent on right of way and private property. We can spend \$11,000 from NRCS money.

Supervisor Gardner said we must know we will have the 25% local match.

Supervisor Jessie Medlin asked if there was anything the City of Olive Branch was doing to prevent the flooding caused by the new subdivision.

The Board discussed the new construction in the area and how some of it is being handled. Supervisor Medlin said at some point they are going to need a detention pond because there is a lot of construction going on in that area.

Mr. Young clarified that the County's portion is \$40,000 and that 10% of that amount could be in-kind work.

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to approve hiring the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to draft an interlocal agreement with the City of Olive Branch and DCRUA to acquire easements for the Wedgewood Bank & Stabilization Project contingent on NRCS participating with funding.

The motion passed by a vote as follows:

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

**See Exhibit H.2**

**3. Environmental Services – Enforcement: Public Hearing Carried over from September 15, 2014 BOS Meeting - 2819 Woodland Lake Rd Hernando, MS 38632 Parcel # 3 09 4 18 03 0 Lot #00056 00 Mississippi Code Section 19-5-105 Litter Ordinance Violation Hearing**

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to open the Public hearing for an issue of Enforcement from a Public Hearing Carried over from September 15, 2014 BOS Meeting relating to a litter ordinance violation at 2819 Woodland Lake Rd Hernando, MS 38632 Parcel # 3 09 4 18 03 0 Litter Ordinance Violation Lot #00056 00 Mississippi Code Section 19-5-105.

Environmental Services Manager Ray Laughter said this violation has been ongoing and the property is still not in compliance. He said there is still a lot more work to be done. The Homeowners Association and neighbors have been very patient. Mr. Laughter said the current owner says he does not have the money to clean the property.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve an order to clean the property and set the hearing date to assess costs as lien against the property located at 2819 Woodland Lake Rd Hernando, MS 38632 Parcel # 3 09 4 18 03 0 Lot #00056 00.

Supervisor Lee Caldwell withdrew the motion and Supervisor Jessie Medlin withdrew the second to the motion.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve taking the matter of a litter ordinance violation under advisement for property located at 2819 Woodland Lake Rd Hernando, MS 38632 Parcel # 3 09 4 18 03 0 Lot #00056 00.

The motion passed by a vote as follows:

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

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to close the public hearing.

The motion passed by a vote as follows:

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

Later in the meeting Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to re-open the Public hearing for an issue of Enforcement from a Public Hearing Carried over from September 15, 2014 BOS Meeting relating to a litter ordinance violation at 2819 Woodland Lake Rd Hernando, MS 38632 Parcel # 3 09 4 18 03 0 Litter Ordinance Violation Lot #00056 00 Mississippi Code Section 19-5-105.

The motion passed by a vote as follows:

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

Environmental Services Manager Ray Laughter said that he got an estimate on cleaning the property at \$9,500.

After finding that the property located at 2819 Woodland Lake Rd Hernando, MS 38632 Parcel # 3 09 4 18 03 0 Litter Ordinance Violation Lot #00056, in its present condition is in such a state of uncleanliness as to be a menace to the public health and safety to the community, Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve Environmental Services to have the property cleaned up, according to Mississippi Code Section 19-5-105; at a cost not to exceed \$9,500 and that amount be assessed to the property.

The motion passed by a vote as follows:

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

Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to close the public hearing.

The motion passed by a vote as follows:

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

**See Exhibit H.3**

## **I. NEW BUSINESS**

### **1. Tax Collector**

#### **a. Insolvency List**

#### **b. Tax Sale**

Tax Collector Joey Treadway of the Tax Collector's Office presented a 2013-2014 Insolvency Report in accordance with the Mississippi Code section 27-49-14 of the Mississippi Code Annotated as follows:

The tax collector shall present to the Board of Supervisors, at its meeting on the first Monday of October in each year, a report of all insolvent and delinquent taxpayers in his county, with the amount due from each. Such report shall be verified by the affidavit of the collector, that he has made, in person or by deputy, a legal demand for taxes of all delinquent taxpayers found in his county by going to their place of abode or business and searching for something to seize and sell for taxes; that the taxpayers mentioned in the report have failed to pay their taxes; that such taxpayers have no effects known to him which can be seized and sold for such taxes; that he has made diligent inquiry after such of said delinquents as have not been found and cannot find them in his county. The tax collector shall also include in his report any checks, drafts or orders for the payment of money which he has received in payment of ad valorem taxes and which has been returned to him because of insufficient funds in the account on which such checks, drafts or orders were drawn. Such checks, drafts or orders shall be accompanied by the affidavit of the collector that he has exhausted all legal means of collecting such instruments, including the filing of a civil suit.

Separate lists of delinquents shall be made for each election district and for each city, town and village.

Miss. Code Ann. Sec. 27-49-1, Insolvent and delinquent taxpayers list

----- Excerpt from page 17197h

Mr. Treadway presented the Insolvency Report and his affidavit in support along with the Tax Sale as follows:

**OCTOBER 1, 2014  
2013-2014 INSOLVENCY REPORT**

A REPORT OF INSOLVENT AND DELINQUENT TAXES FOR THE 2013-2014 FISCAL YEAR IS PRESENTED BELOW PURSUANT TO SECTION 27-49-1 OF THE MISSISSIPPI CODE ANNOTATED.

**PERSONAL PROPERTY TAXES**

<b>NET TAXES BILLED</b>	<b>31,795,677.40</b>	
<b>TAXES DELINQUENT:</b>	<b>623,388.33</b>	
<b>COUNTY</b>	<b>199,358.23</b>	
<b>CITY</b>	<b>168,888.91</b>	
<b>SCHOOL</b>	<b>255,141.19</b>	
<b>TOTAL UNCOLLECTED</b>		<b>623,388.33</b>
<b>TOTAL DELINQUENT PERSONAL TAX 1.96 %</b>		

**PUBLIC UTILITIES**

<b>TOTAL AMOUNT BILLED</b>	<b>5,023,054.71</b>	
<b>TOTAL COLLECTED</b>	<b>4,917,636.01</b>	
<b>TOTAL VOIDED (STATE APPEALED)</b>	<b>105,418.70</b>	
<b>TOTAL UNCOLLECTED</b>		<b>.00</b>
<b>TOTAL DELINQUENT PUBLIC UTILITY 0%</b>		

**MOBILE HOMES**

<b>NET BILLED</b>	<b>103,541.36</b>	
<b>TAXES DELINQUENT</b>	<b>31,635.31</b>	
<b>COUNTY TAX</b>	<b>11,966.45</b>	
<b>CITY TAX</b>	<b>5,569.33</b>	
<b>SCHOOL</b>	<b>14,099.53</b>	
<b>TOTAL DELINQUENT</b>		<b>31,635.31</b>
<b>TOTAL DELINQUENT MOBILE HOME TAXES 31%</b>		

<b>TOTAL REALTY BILLED:</b>	<b>124,989,275.43</b>	
<b>TOTAL SOLD TO STATE</b>	<b>200,469.24</b>	
<b>TOTAL BANKRUPTCIES</b>	<b>122,320.82</b>	
<b>DRAINAGE/SPECIAL ASSESSMENTS UNPAID</b>	<b>195.52</b>	
<b>TOTAL REALTY UNPAID</b>		<b>322,985.58</b>

**TOTAL DELINQUENT REALTY ADV TAX 0.26%**

Presented this 6th day of October, 2014

\_\_\_\_\_  
JOEY TREADWAY, TAX COLLECTOR

\_\_\_\_\_  
ELIZABETH F. RILEY, BOOKKEEPER

- ENCLOSURES: I. LISTING OF DELINQUENT PERSONAL PROPERTY TAX**  
**II. LISTING OF DELINQUENT MOBILE HOME PROPERTY TAX**  
**III. LISTING OF PARCELS SOLD TO STATE**  
**IV. BANKRUPTCY LISTING**  
**V. UNPAID DRAINAGE AND SPECIAL ASSESSMENT LISTING**

Mr. Treadway said the total delinquent personal tax is 1.96%. The public utilities are collected by the state.

Mr. Treadway said that they are still updating mobile homes. They are trying to identify all of them and the 31% total delinquency will drop.

Mr. Treadway said that delinquent realty and advalorem taxes are .26%.

The motion passed by a vote as follows:

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

Tax Sale

Mr. Treadway said they took in \$4.9 million and sold \$3.4 million. Mr. Treadway said there was \$288,000 excess in bids for 2014 compared to \$212,000 excess bids in 2013. The total tax proceeds for 2014 was \$4,040,213.61 compared to \$3.4 in 2013.

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve the 2013-2014 Insolvency Report in accordance with the Mississippi Code section 27-49-1 as fully described in Exhibit I.1; and to accept the Tax Sale Report.

The motion passed by a vote as follows:

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

See Exhibit I.1

**2. DeSoto County Recreational District**

- a. Fisher & Arnold Inc., Engineering Services Agreement**
- b. Waggoner Engineering, Inc., Professional Services**
- c. Michael L. Davis, Architecting Services Agreement**

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve agreements for the DeSoto County Recreational District as needed with Fisher & Arnold Inc., Engineering Services Agreement, Waggoner Engineering, Inc., Professional Services and Michael L. Davis, Architecting Services Agreement.

The motion passed by a vote as follows:

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

See Exhibit I.2

**3. Natural Resources Conservation Service Available Funding**

Road Manager Andy Swims said, as a result of the rain event on September 11, 2014, Assistant County Engineer, Scott Young met with NRCS regarding erosion and scour issues.

Mr. Young said he met with NRCS for six hours. He said they agreed upon three projects with a 75/25 funding split and allowing 10% of the work to be done in-kind like they do on other projects. The first project is for College Road, \$96,000 – major ditch crossing between Getwell Rd. & Pleasant Hill Rd.

Mr. Young said they also identified a project along Spring Valley Road. The project will use rip rap and replace a pipe on Spring Valley Road at an estimated cost of \$57,000.



Finally, Mr. Young stated they identified a project for the Tulane Road Bridge at I69. The bridge is in the City of Hernando and he will contact them to join in on this project. The project is to repair scouring and washing of the banks under the bridge. Mr. Young said the estimated cost is \$80,500.

Mr. Young said the County share on these projects is \$58,375.

Mr. Young said that College Road and Spring Valley still meet all NRCS designs. Spring Valley is critical because there is only one entrance to that subdivision. He said they could prioritize College Road and Spring Valley and submit the applications.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to approve all three projects at a 75/25 split and 10% in-kind on College Road at a total of \$96,000, Spring Valley at a total of \$57,000 and; approve hiring the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to review the applications and agreements and to proceed with easements for the College Road and Spring Valley projects and the Board President to sign the agreements and to proceed with submitting the applications to NRCS after approval by the Board Attorney; and for Mr. Young to discuss splitting the cost of the work on Tulane Road Bridge with Hernando due to it being located inside the city limits.

The motion passed by a vote as follows:

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

**See Exhibit I.3**

#### **4. Office of Procurement – Bids Under Advisement: Re-Bid of Ready Mix Concrete**

Director of Administrative Services Pat McLeod said they are recommending MMC Materials, Inc. in Horn Lake as the best bidder.

She said that Discount Distribution in Moss Point, MS is the other bidder. Although their prices are lower, they cannot explain how they will deliver concrete mix to the Road Department in Nesbit, MS, which is 372 miles away. In addition, they failed to return required bid documents and they do not have a local facility.

Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to approve MMC Materials, Inc., in Horn Lake, MS, as the lowest and best qualified bid due to Discount Distribution being located 372 miles away, their failure to explain how they would deliver the materials to DeSoto County, their failure to explain the significant change in bid prices compared to their prior bid, and their failure to comply with the bid specifications in that they failed to return the required bid documents in relation to bid file number 15-156-018 as follows:

The motion passed by a vote as follows:

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

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

Chief Financial Officer Tom Arnold presented the preliminary inventory dispositions.

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve the following preliminary inventory dispositions:

**a. Inventory Dispositions – Preliminary**

**1) E-911**

ASSET #	GRANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	YR ACQ	COST	LOCATION AT PRELIMINARY
32185		HEWLETT PACKARD PRINTER	MY9AK13015	NON REPAIRABLE (COST)	00	3H	E-911 OFFICE
32210		TDD / TTY MACHINE	7270001441	OUTDATED TECH - HAS BEEN REPLACED	97	5H	DISPATCH - HN
32247		MOTOROLA RADIO CONSOLE	518ATW0216	UNUSABLE - OUTDATED	94	16H	DISPATCH - HN
32249		MOTOROLA RADIO CONSOLE	518ATW0218	OUTDATED TECH - HAS BEEN REPLACED	94	16H	DISPATCH - SO
32458		MERCOM VOICE RECORDER	5394	OUTDATED TECH - HAS BEEN REPLACED	02	35K	E911 BLDG - OB
33014		SONY MONITOR	NONE LISTED	DOES NOT POWER UP - UNUSABLE	03	18H	DISPATCH - HN
33018		SONY MONITOR	4261835	DOES NOT POWER UP - UNUSABLE	03	18H	DISPATCH - HN
36593		ACER DESKTOP PC	S5101300183	DOES NOT POWER UP - UNUSABLE	05	11H	E-911 OFFICE
39582		SAMSUNG MONITOR	MY19H9LQ414077D	NONE REPAIRABLE (COST)	08	3H	DISPATCH - SH
39592		SAMSUNG MONITOR	MY9H9LQ414371F	NONE REPAIRABLE (COST)	08	3H	DISPATCH - SH
40361		HEWLETT PACKARD PRINTER	MY97R5121	DOES NOT PRINT - NON-REPAIRABLE	09	5H	E-911 OFFICE

ASSET #	GRANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	YR ACQ	COST	LOCATION AT PRELIMINARY
32186		PANASONIC PHONE SYSTEM	NONE LISTED	SYSTEM WAS UP DATED WHEN BUILDING WAS CONSTRUCTED	01	11H	E-911 OFFICE

**2) Extension Service**

ASSET #	GRANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	YR ACQ	COST	LOCATION AT PRELIMINARY
4086		52" PROJECTION TV	68113223345	OLD ANALOG TV THAT IS NO LONGER USED AND IN THE WAY	96	17H	EXTENSION SERVICE

**3) Search & Rescue**

ASSET #	GRANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	YR ACQ	COST	LOCATION AT PRELIMINARY
31921		16' ALUMINIUM BOAT (FOXTROT)	NONE LISTED	DECLARE AS SURPLUS / AUCTION	02	3H	SEARCH & RESCUE FACILITY

**4) Sheriff's Department**

ASSET #	GRANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	YR ACQ	COST	LOCATION AT PRELIMINARY
39843		FORD 2007 CV	2FAHP71X97X157294	DECLARE AS SURPLUS / USING FOR FOR PARTS	09	13K	SO CENTRAL MAINTENANCE
			HIGH MILEAGE: 164,000	PULLED FROM SERVICE: SEP2014			

**5) Sheriff's Department SID**

ASSET #	GRANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	YR ACQ	COST	LOCATION AT PRELIMINARY
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43764	Hitachi Flat Screen TV	V8B030821	Seized Item--Auction	13	1,300	SID Office
43765	Sharp Aquos Flat Screen TV	906899531	Seized Item--Auction	13	400	SID Office
43766	Vizio Flat Screen TV	LQKECAK2800889	Seized Item--Auction	13	530	SID Office
43767	Samsung Flat Screen TV	AUMK3CQ5A00016K	Seized Item--Auction	13	500	SID Office
44005	2000 Ford Ranger	1FTYR10V06YTA47477	Seized Item--Auction	14	1,185	SID Office
44006	1995 Buick Lasaber	1G4HP52L6SH546126	Seized Item--Auction	14	872	SID Office
44007	2004 Buick Rendezous	3G5DB03E84S557814	Seized Item--Auction	14	2,100	SID Office
44029	2002 Chevy Avalanche	3FNEC13T32G175745	Seized Item--Auction	14	2,854	SID Office
44030	2003 Ford Taurus	1FAFP55253A227413	Seized Item--Auction	14	992	SID Office
44032	2007 GMC Envoy	1GKDS13S572224169	Seized Item--Auction	14	2,854	SID Office
44050	2002 Hyundai XG350L	KMHFU45E62A211612	Seized Item--Auction	14	2,477	SID Office

The motion passed by a vote as follows:

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

**See Exhibit I.5.a**

**b. Grants Administration: Accept MEMA Grant for EMA for special projects**

Grants Administrator Melissa Zizmann said this grant is for additional funding toward the weather computer.

Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to approve accepting the one time MEMA Grant for EMA special projects with no match required from the county; in the amount of \$2,795.40 and authorize the Board President to sign the document.

The motion passed by a vote as follows:

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

**See Exhibit I.5.b**

**c. Claims Docket**

Chief Financial Officer Tom Arnold, of the Office of Finance and Accounting, presented the claims docket to the Board. Mr. Arnold read the items on the claims docket individually and the Board discussed these items.

Supervisor Lee Caldwell asked about the following claims:

Page 100 – Univar USA for a London Fogger: Road Manager Andy Swims said this is for a mosquito sprayer truck.

Page 102 – Neel Schaffer got other contractual services: Mr. Arnold said he thought this is for Swinnea Road.

Page 115-116 – Northwest Community College: Mr. Arnold said this is for two different tax levies.

Supervisor Jessie Medlin asked about the following claims:

Page 45 – Fleetcor Technologies: Mr. Arnold said this is for the Fuelman Card.

Page 36 – Various Public Defender names: Mr. Arnold said this claim is additional money to pay the Public Defenders.

Page 30 - Horn Lake Family Practice: Mr. Arnold said this is for drug testing.

Supervisor Bill Russell asked about the claim on page 6 to Tina Hill. Mr. Arnold said that Ms. Hill goes out to mobile homes to collect personal property taxes every year.

Supervisor Mark Gardner asked about the following claims:

Page 4 – Dale Thompson - Records Preservation: Mr. Arnold said this is a contract with the Circuit Clerk to maintain records. Chancery Clerk Sluggo Davis said the contract was on the Agenda today under the consent portion.

Page 5 – MACA: Mr. Arnold said this is for the Mississippi Association of Collectors & Assessors.

Page 11 – Smith, Phillips, Mitchell, Scott and Nowak Law Firm: Board Attorney Tony Nowak said this includes a two day trial in Oxford for Thomas Hooghe.

Supervisor Gardner asked Facilities Director Tony Martin about getting the well for the Animal Shelter. Mr. Martin said they are working on it.

Page 16 – Siemens Bldg. Technologies: Mr. Martin said that is for a service call when the fire alarm went off at the chiller building. He said the original cost was \$5,000 and he got Siemens to come down to \$1,299.00. He said that Kessler has the maintenance contact for the chiller.

Page 18 – Several line items for building supplies. Mr. Arnold said this is for items that cost less than \$100 and did not require a purchase order.

Page 56 – Bytesurgery LTD: Mr. Arnold said this is an annual fee for a satellite phone.

Page 59 - David Delgado – Natchez: Mr. Arnold said Mr. Delgado is a Public Defender; he attended a conference in Natchez and the expenses are being reimbursed by a grant.

Page 61 – Craig Howell – Gulfport, MS: Environmental Services Director Ray Laughter said that he and Mr. Howell attended a recycling conference. Also, Mr. Howell will be attending more conferences.

Page 76 – MS State University Extension Service State Retirement: Mr. Arnold said the county pays the retirement for the Extension Service. Ms. Lynchard said it is in that line item because there was no other line item to use. It pays for time off etc.

Page 87 – Emergency Communications – Transfer E 911: Mr. Arnold said these fees are collected during the month and settle with companies at the end of the month.

Page 93 – Emergency Equipment Professional Ferno Basket – Mr. Arnold said that he thought that EMS Director Fiodor Baraniuk made the purchase and he will confirm with him.

Later in the meeting, Mr. Arnold said the basket is for carrying corpses and it was purchased by Mr. Baraniuk.

Page 96 – American Tire Repair: Supervisor Gardner said he understood that all flat tires on county vehicles would be replaced by the employee unless the vehicle requires special tires.

Road Manager Andy Swims said this was a breakdown that required a service call.

Page 101 – EAI/WEI – Engineering Fees: Mr. Swims said this is for work on Starlanding Road.

Page 103 – Smith, Phillips, Mitchell, Scott and Nowak Law Firm: Supervisor Gardner asked if

Southaven is splitting the cost with the county. Mr. Nowak said he believes they are participating.

Page 105 – Lehman Roberts: Supervisor Gardner asked if this claim is part of the asphalt overlay program. Mr. Swims said it is part of the 2013-2014 projects.

Pate 106 – Waggoner Engineering, Inc. - Supervisor Gardner asked if anyone reviewed these items and costs. Mr. Swims said he reviewed and approved them to be paid.

Page 109 – VicktorHall Construction: Sheriff Bill Rasco said this is the cost for gutting the Sheriff’s Administration Building.

Supervisor Harvey Lee said the claims for motor vehicle licenses seem to be higher than the others. Mr. Arnold said he would check on it.

Supervisor Medlin said EMS is still paying for dog food, but he thought they were getting rid of the dogs. Ms. Lynchard said they are phasing out the dogs but need food for them during the interim.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Chief Financial Officer except for Region IV on page 63.

The motion passed by a vote as follows:

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

Supervisor Mark Gardner recused himself from the motion and vote on the following motion.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve paying the claim on page 63 to Region IV.

The motion passed by a vote as follows:

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

**6. Environmental Services: Household Hazardous Waste Day 2014, Saturday, October 25<sup>th</sup> 8:00 a.m. – 2:00 p.m. at the Landers Center**

Environmental Services Manager Ray Laughter said it is that time of year for Household Hazardous Waste day which will be held October 25<sup>th</sup> from 8:00 a.m. – 2:00 p.m. at the Landers Center.

Mr. Laughter said that last year they had 533 vehicles which represented over 1,500 citizens. He said they expect to exceed that number because it has become a very popular event.

Mr. Laughter said he has contacted Cintas to do paper shredding but they have not responded yet. Mr. Laughter said he really appreciated the newspapers helping get the word out to the citizens.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve making the Household Hazardous Waste Day flyer part of the minutes as detailed in Exhibit I.6.

The motion passed by a vote as follows:

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

**See Exhibit I.6**

**7. Administrative Services**

**a. Contracts**

**1) Environmental Services: Solid Waste Consultant**

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve a one year contract between Environmental Business Services and DeSoto County for consulting services with Consultant Jim McNaughton related to solid waste collection and disposal in the County and as fully detailed in Exhibit I.7.a.1.

The motion passed by a vote as follows:

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

**See Exhibit I.7.a.1**

**2) Circuit Clerk: Set-up, Test & Program Voting Machines**

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the Addendum to extend the contract for services for the testing, set up and programming of voting machines with the County Circuit Court Clerk.

The motion passed by a vote as follows:

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

**See Exhibit I.7.a.2**

**3) Road Dept.: Beaver Trapping & Removal Services Agreement with Joseph Gee**

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the annual agreement with Joseph Gee (the Contractor), for beaver trapping and removal 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 Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit I.7.a.3**

**4) Circuit Clerk: House and Senate Redistricting**

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the addendum to the contract for services with the DeSoto County Circuit Court Clerk for the House and Senate Redistricting ending February 28, 2015 unless the agreement is sooner terminated or extended.

The motion passed by a vote as follows:

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

**See Exhibit I.7.a.4**

**b. NACo Prescription Update & Introduction of the Health Care Discount Program**

Director of Administrative Services Pat McLeod said the BOS participated in the NACo Prescription Program in 2009. Ms. McLeod said that NACo said that most counties have seen a decline in participation for two reasons: 1) the pharmacies were forced to lower their price on prescriptions due to programs like NACo Discount Cards; and 2) the Healthcare Reform Act and public uncertainty.

Ms. McLeod said because of these changes, NACo is offering a new benefit to residents of DeSoto County. The new program is a Health Discount program which offers discounts on such items as vision, hearing, diabetic supplies and several others. There is no charge to the County.

Ms. McLeod said that NACo and Caremark will mail out all marketing materials on the County’s behalf at no cost. Previously, the County was responsible for mailing out the marketing materials which will save the county over a thousand dollars in postage and office supplies. NACo has updated their marketing materials to include cards, posters and bill inserts.

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to authorize moving forward with the new NACo Healthcare Discount Program.

The motion passed by a vote as follows:

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

**See Exhibit I.7.b**

**8. County Administrator**

**a. Appointment – First Regional Library Board**

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve appointing Michelle Beaver Walker to the First Regional Library Board to replace Carolyn McCammon whose term is set to expire September 15, 2017.

The motion passed by a vote as follows:

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

Supervisor Harvey Lee, Fifth District

YES

**See Exhibit I.8.a**

**b. Fairhaven Fire Department: Approval to Bid**

**c. Approval of agreement with Fairhaven VFD**

County Administrator Vanessa Lynchard said the cost of renovating the building used by the Fairhaven Fire Department exceeds what they originally thought it would cost. She said the Fire Department is comfortable with paying rent to use the building, in exchange for the improvements. Ms. Lynchard said Architect Marvin Johnson is working on this project.

Board Attorney Tony Nowak said this is not a loan, but a lease agreement between the County and Fairhaven Fire Department. Ms. Lynchard said they could pay up to \$14,000 yearly. The County owns the building and will retain ownership.

Mr. Johnson discussed the project plan and said the building would have metal siding and roofing and will look like the original concept of the building. Mr. Johnson said there is no need for dirt work around the building except for the parking pad.

Mr. Johnson said the sleeping quarters are in the back of the building. The addition will be elevated but the parking lot will be the same level as it is now.

Supervisor Medlin asked if the parking lot flooded during the last storm. EMA Operations Specialist Josh Harper said there was no water over the parking lot during the last rains and flooding in the county.

Supervisor Mark Gardner asked if the building is ADA compliant. Mr. Johnson said yes. He said they do have to install a sprinkler according to Fire Code because there will be a sleeping quarters. Mr. Johnson said it is a residential sprinkler because of the size of the building. Mr. Johnson said it will be cheaper than the one at Eudora because the building is not as big at Fairhaven. There is a water hydrant in front of the Fairhaven building. Mr. Johnson said the total for the entire project is \$300,000 to \$325,000.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to approve seeking bids on the Fairhaven Fire Department project and to authorize the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to draft the agreement with the Fairhaven Fire Department.

The motion passed by a vote as follows:

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

**See Exhibit I.8.b.c**

**9. Board Attorney**

**a. Approval for Board Attorney to seek AG Opinion clarifying Fire Department Support**

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve hiring the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to seek an AG opinion clarifying if the county can pay utilities for the Fire Departments if the building is County owned or partly shared by the County.

The motion passed by a vote as follows:



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

**b. South Central Development Lease**

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve the agreement with South Central Development, LLC, for use as a helicopter hangar and operation facility for the operations of the DeSoto County Sheriff’s Department’s air unit.

The motion passed by a vote as follows:

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

See Exhibit I.9.b

**c. Panelizers Subordination Agreement**

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve the subordination agreements with Panelizers, LLC, originally property of Imperial Manufacturing property, as presented.

The motion passed by a vote as follows:

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

See Exhibit I.9.c

**10. Road Department**

**a. Proposed Purchase and Sell of Equipment FY 2015**

Road Manager Andy Swims said he met with Keith Pearson and J.R. Conlee several times to make sure we had everything right. He said that Keith is doing a great job for the County and so is J.R. Mr. Swims said that Crenshaw Auctions has also reviewed the information. He said that Keith recommended having the sale in November and January.

Mr. Swims presented a proposal for the sale of surplus equipment at a total of \$120,000 and described the issues with the vehicles in the following list:

**PROPOSED SURPLUS EQUIPMENT FOR 2014**

<u>Asset#</u>	<u>Unit#</u>	<u>Description</u>	<u>Date of purchase</u>	<u>Tag#</u>	<u>Serial#</u>	<u>Mileage/ Hours</u>	<u>Initial Cost</u>	<u>Estimated Value</u>
35897	05	2007 GMC TRAILBLAZER	4/07	G041415	1GNDT13S672222155	108,976 M	21,231	4,000
35903	07	2007 CHEVY	5/07	G041870	1GCK29K87E529920	163,447 M	26,025	6,500
35922	13	2007 CHEVY DUALY	8/07	G042941	1GCJK33667F541898	153,298 M	35,405	12,000
35923	14	2007 CHEVY DUALY	8/07	G042940	1GCJK33667F542968	113,736 M	35,405	13,500
33683	93	2004 CHEVY SLVRDO 4WD	3/04	G029257	1GCEK19Z242276334	153,500 M	21,891.18	5,000
33779	97	2005 GMC 2500	5/05	G033382	1GTHC29U25E266898	132,413 M	19,640	5,000
34318	99	2006 FORD EXPOLORER	3/06	G036552	1FMEU72E186UB03645	124,384 M	20,300	4,000
38031	147	2006 CHEVY CC7500 BOOM TRK	9/05	G035143	IGBP7C1C46F400819	104,006 M	77,940	20,000
35868 35869	683	JOHN DEERE 6420 TRACTOR W/ ALAMO SIDE MOUNT MOWER	7/06		L06420H486299 01100	4696 H	87,745	25,000
36009	714	JOHN DEERE 6430 TRACTOR W/ MOWER	8/08		L06430H57579 AX 2201169	3306 H	88,876.69	25,000
								120,000

Supervisor Harvey Lee made the motion and Supervisor Bill Russell seconded the motion to accept selling the surplus equipment, as identified, for 2014 from the Road Department at an approximate total of \$120,000 as listed above.

The motion passed by a vote as follows:

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

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to approve purchasing the equipment for 2014-2015 FY as listed at an approximate cost of \$606,000 - \$669,000:

<u>QTY</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>
1	Mini Excavator	\$95,000 - \$105,000
1	Limb Truck	\$116,000 - \$128,000
2	Boom Tractor	\$92,000 - \$102,000
1	Light Truck	\$27,000 - \$30,000
1	SUV Truck	\$27,000 - \$30,000
1	SUV Truck	\$29,000 - \$32,000
2	Pick up Truck	\$24,000 - \$26,000
2	Dually Truck	\$40,000 - \$44,000

The motion passed by a vote as follows:

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

Supervisor Harvey Lee, Fifth District YES

See Exhibit I.10.a

**b. Finding of Fact – Bridgetown SD, North end of levee off Itasca Drive**

Road Manager Andy Swims presented a finding of fact for the Board’s consideration located in Bridgetown Subdivision, north end of levee off Itasca Drive. He said during the recent storm a pipe floated up which is located in a common area open space.

After determining this issue is affecting the health, safety, and welfare of the public, Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve the finding of fact located in Bridgetown Subdivision, north end of levee off Itasca Drive; and to replace the pipe and make repairs to prevent future flooding and protect the roads and right of way at a cost of \$804.00; and to proceed with the repairs in accordance with Mississippi Code Section 19-5-92-1.

The motion passed by a vote as follows:

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

See Exhibit I.10.b

**J. PLANNING COMMISSION AGENDA**

**J. Planning Commission Agenda**

**a. Report approval of required landscape plan Conditional Use #1462**

Mr. Ted Garrod gave a report on the landscaping proposal for the Starlanding Rubbish Pit. He explained the three buffer areas. Supervisor Caldwell stated that pine trees which are being proposed in the landscaping proposal are on the bad tree list for air quality and that she would like to look at other trees and plants that are on the air quality list. Supervisor Russell stated the air quality list was taken into account, but that after working with the applicant and MDEQ it was decided that pine trees are the best fit for the soil type at the rubbish pit. Supervisor Medlin asked where the information stating that pine trees are the best fit for the soil type came from. Mr. Garrod stated the information came from the MSU Horticultural Department. Supervisor Russell stated the applicant will have to maintain and replace the trees as needed.

Supervisor Russell made a motion to approve the consent agenda. Supervisor Lee seconded the motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

**b. Report Building Code Committee findings on 2012 Building Code**

Mr. Garrod reported the findings of the Building Code Committee concerning the 2012 Building Code. Supervisor Lee asked if all the municipalities have adopted the 2012 Building Code. Mr. Garrod confirmed that the municipalities have adopted the 2012 Building Code.

Supervisor Lee made a motion to advertise for Public Hearing to consider the adoption of the 2012 Building Code to be heard on November 3, 2014 at 10:00 a.m. Supervisor Russell seconded the motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

Supervisor Russell asked if a new fee structure will be considered at the same hearing. Mr. Garrod stated that the Board can adopt the 2012 Building Code separately from adopting a new fee structure. Supervisor Medlin asked what the big differences are in the new building code. Mr. Randy Williams stated that there are new requirements concerning arc faults and residential sprinkler systems. Ms. Vanessa Lynchard stated she would like all the Supervisors who were not on the Building Code committee to sit and see the changes prior to the public hearing. Mr. Nowak stated that in the past the Supervisors were given a list of the changes. Supervisor Gardner asked if staff has reached out to the Homebuilders Association to make sure they are aware of the changes. He then stated he is concerned that the increase in building permit fees would hurt the increase building going on currently. Mr. Garrod stated at this time only adopting the 2012 Building Code will be considered not a new fee structure. Mr. Garrod stated with all the cities adopting the 2012 Building Code, by adopting the code all jurisdictions will be using the same code. Supervisor Gardner asked if the Supervisors can get a summary of all the changes to be able to answer any questions that citizens may have. Supervisor Medlin stated he would like to see what the changes in the building code will cost the homebuyer and the builder.

Supervisor Russell stated he would like to discuss selling of cars on public right-of-way. He then stated that the intersection of Poplar Corner and Goodman Road looks like a used car lot. He asked if anything could be done to allow the Sherriff's Department to ticket these vehicles. Mr. Garrod stated he spoke with Mr. Nowak and that the County would need a specific ordinance to be able to ticket the vehicles.

Supervisor Russell asked if the Board was interested in forming a committee to look into an ordinance to address this situation.

Supervisor Lee asked if that area was MDOT right-of-way. Supervisor Russell stated he would have to look into that.

Supervisor Russell made a motion to form a committee to look into rewriting or writing an ordinance to keep cars from being parked in the right-of-way for sale. Supervisor Caldwell seconded the motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>NO</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>NO</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>NO</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>NO</u>

Supervisor Russell stated that he is concerned that no one else on the Board is interested in this issue. Sherriff Rasco stated if the cars are parked on public property without tags it can be towed.

**K. EXECUTIVE SESSION**

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

Supervisor Mark Gardner made the motion to recess the Board meeting until October 27, 2014, 9:00 a.m. The motion was seconded by Supervisor Harvey Lee.

The motion passed by a vote as follows:

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

Supervisor Bill Russell, Third District  
Supervisor Lee Caldwell, Fourth District  
Supervisor Harvey Lee, Fifth District

YES  
YES  
YES

THIS the 6<sup>th</sup> day of October, 2014, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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Lee Caldwell, President  
DeSoto County Board of Supervisors