

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

DISTRICT FOUR LEE CALDWELL, PRESIDING

August 18, 2014

A. CALL TO ORDER

The August 18, 2014 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Lee Caldwell, Board President.

Deputy Carl Hurt 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 Absent
W. E. Sluggo Davis	Chancery Clerk
Vanessa Lynchard	County Administrator
Tony Nowak	Board Attorney

B. INVOCATION

Environmental Services Manager Ray Laughter presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. CITIZENS REMARKS & PRESENTATIONS

Supervisor Lee Caldwell asked if there was anyone who wished to come forward who is not on the Agenda. No one came forward.

E. APPROVAL OF AGENDA: ADDITIONS AND DELETIONS

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

1. County Administrator Vanessa Lynchard requested the following additions and deletions to the Agenda:

a. Justice Court – HB 585

County Administrator Vanessa Lynchard said that law students would be able to assist in the court with paperwork if necessary. She said there would be no pay for the students because it is an internship. Ms. Lynchard said it is not practical for the prosecutor to watch over the interns so they will assist the public defender with paperwork.

b. Siemens Energy Project. Consideration for possible Executive Session under Potential Litigation. This item was later determined to qualify for executive session.

c. ViktorHall Construction LLC for the Jail expansion.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve the contract in substantial form as to that presented with ViktorHall Construction LLC for the Jail

expansion project and authorize the Board President to sign the document.

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 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.1.c

d. Old Business: Carrying Firearms in County buildings.

Supervisor Bill Russell said Board Attorney Jody Neyman suggested that the Board post signs on the doors of the meeting rooms as permitted by statute. Supervisor Russell said this Board can limit firearms in the Supervisors board room while in session, with an ordinance or a Board Order, and asked if the Board was interested in pursuing that course of action.

Supervisor Lee Caldwell said she is concerned about other areas not under the Board’s jurisdiction such as public parks, meeting places and school events.

Board Attorney Tony Nowak said the Board previously elected not to adopt restriction in parks and only thing that has not been addressed yet by the Board is the Board Room.

Supervisor Russell asked if the Board wanted to discuss the matter further.

Supervisor Mark Gardner said the state sets the statutes and he did not see a need for a committee or further discussion.

Supervisor Jessie Medlin said he did not want to discuss it further.

No action was taken on this item.

e. Consent Agenda: Delete F.1.a – Budget Amendments and F.2.c – Project Penton/MDA/EDC Contract

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to approve the Agenda with the additions, deletions and changes set forth above.

The motion passed by a vote as follows:

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

F. CONSENT AGENDA

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

Ms. Lynchard requested deleting F.1.A and F.2.c on the Consent Agenda.

Supervisor Jessie Medlin asked about the 31 refusals out of 71 phone calls on the EMS Billing Report. Ms. Lynchard explained certain scenarios that could fall in that category and she is tracking it very closely.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve the Consent Agenda as follows:

1. Office of Finance & Accounting

a. Budget Amendments

b. Request to make Interfund Transfer

August 18, 2014

TO: Board of Supervisors
 FROM: Tom Arnold

Approval is needed for the following interfund transfer to be made. These residual funds left over after the grant was completed.

To: General Fund \$404.20 (001-000-387)
 From: LLEBG Video grant \$404.20 (030-900-951)

c. Request for Transfer of Sheriff Seized Funds

Case #	Defendant	Date Seized	Receipt #	Amount	Date of Forfeiture
2014-26702	Steven Jensen	6/30/14	29340	\$ 130.00	8/4/14
			TOTAL	\$ 130.00	

Transfer from Sheriff-Seized Fund (123-000-139) \$130.00
 Transfer to Sheriff-Forfeiture Fund (120-000-238) \$130.00

d. Inventory Dispositions: Final 8/18/2014

1) Sheriff's Dept. Forfeiture

AGENCY	CASE #		DATE DECLARED	MFGR	YEAR	DESCRIPTION	SERIAL #	VALUE
SID	2014-30076	BELINDA STARNES	07/21/14	LINCOLN	2013	MKS (BLACK)	1LNHL9DK2DG608895	28000.00
COUNTY ASSET #44025						T210-L227-F120-D200		

2) Sheriff's Department (2)

ASSET #	GRANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	YR ACQ	COST	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION
8276		HANDHELD RADIO	466AVA1332	OLD UNIT/NON REPAIRABLE DUE TO COST	94	16H	DCSO	06/16/14	LESLEY LOFTON	EWASTE
8047		HANDHELD RADIO	466ATV1333	OLD UNIT/NON REPAIRABLE DUE TO COST	99	14H	DCSO	"	"	"
33164		TASER	X00005750	MALFUNCTIONING/ NON REPAIRABLE	04	4H	DCSO	"	"	"
40550		VIZIO TV	LAUKEADL0903439	SCREEN IS BROKEN/ NON REPAIRABLE DUE TO COST	10	4H	DCSO	"	"	"

ASSET #	DESCRIPTION	SERIAL #	REASON FOR DISPOSAL	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	LOCATION OF FINAL DISPOSAL	DATE OF FINAL APPROVAL
8058	MTS 2000 HAND HELD RADIO	466ATV1336	SURPLUS	SHERIFF DEPT.	11/05/12	LESLEY LOFTON	SID DISPOSAL SITE	
8064	MTS 2000 HAND HELD RADIO	466AVS3511	SURPLUS	"	"	"	"	
8066	MTS 2000 HAND HELD RADIO	466AVS3513	SURPLUS	"	"	"	"	
8077	MTS 2000 HAND HELD RADIO	466AVY4982	SURPLUS	"	"	"	"	
8079	MTS 2000 HAND HELD RADIO	466AWY5092	SURPLUS	"	"	"	"	
8255	MTS 2000 HAND HELD RADIO	466AUQ0251	SURPLUS	"	"	"	"	
8257	MTS 2000 HAND HELD RADIO	466AUQ0253	SURPLUS	"	"	"	"	
8258	MTS 2000 HAND HELD RADIO	466AUQ0254	SURPLUS	"	"	"	"	
8259	MTS 2000 HAND HELD RADIO	466AUQ0255	SURPLUS	"	"	"	"	
8264	MTS 2000 HAND HELD RADIO	466AUQ2631	SURPLUS	"	"	"	"	
8267	MTS 2000 HAND HELD RADIO	466AUQ2634	SURPLUS	"	"	"	"	
8294	MTS 2000 HAND HELD RADIO	466AVW1690	SURPLUS	"	"	"	"	
8295	MTS 2000 HAND HELD RADIO	466AVW1691	SURPLUS	"	"	"	"	
8327	MTS 2000 HAND HELD RADIO	466AYE2864	SURPLUS	"	"	"	"	
12286	MTS 2000 HAND HELD RADIO	466AWL1972	SURPLUS	"	"	"	"	
12287	MTS 2000 HAND HELD RADIO	466AWJ1094	SURPLUS	"	"	"	"	
30265	MTS 2000 HAND HELD RADIO	466AVY4980	SURPLUS	"	"	"	"	
30314	MTS 2000 HAND HELD RADIO	466AYS3567	SURPLUS	"	"	"	"	
32035	MTS 2000 HAND HELD RADIO	466ABQ3815	SURPLUS	"	"	"	"	
32118	MTS 2000 HAND HELD RADIO	466CCQ1301Z	SURPLUS	"	"	"	"	
32923	MTS 2000 HAND HELD RADIO	466CDJ0962	SURPLUS	"	"	"	"	
32926	MTS 2000 HAND HELD RADIO	466CDJ0959	SURPLUS	"	"	"	"	
32927	MTS 2000 HAND HELD RADIO	466CDJ0964	SURPLUS	"	"	"	"	
34084	MTS 2000 HAND HELD RADIO	466CFE0079	SURPLUS	"	"	"	"	

C3b

FINAL

200 DEPARTMENT: SHERIFF DEPARTMENT FISCAL YEAR: 2013

ASSET #	DESCRIPTION	SERIAL #	REASON FOR DISPOSAL	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	LOCATION OF FINAL DISPOSAL	DATE OF FINAL APPROVAL
12149	MOTOROLA GTX MOBILE	867SXM5571	Surplus	Sheriff Dept.	11/05/12	LESLEY LOFTON	SID DISPOSAL SITE	
30623	MOTOROLA GTX MOBILE	867FYC2651	Surplus	"	"	"	"	
31024	MOTOROLA GTX MOBILE	867SXF5412	Surplus	"	"	"	"	
31026	MOTOROLA GTX MOBILE	867FYE2298	Surplus	"	"	"	"	
31027	MOTOROLA GTX MOBILE	867FYY2084	Surplus	"	"	"	"	
31029	MOTOROLA GTX MOBILE	867FYL3802	Surplus	"	"	"	"	
31036	MOTOROLA GTX MOBILE	867SWT6125	Surplus	"	"	"	"	
31390	MOTOROLA GTX MOBILE	867FYC3778	Surplus	"	"	"	"	
32285	MOTOROLA GTX MOBILE	867SXM7458	Surplus	"	"	"	"	
32286	MOTOROLA GTX MOBILE	867SXM7470	Surplus	"	"	"	"	
32287	MOTOROLA GTX MOBILE	466FYE1582	Surplus	"	"	"	"	
32290	MOTOROLA GTX MOBILE	867FYL3848	Surplus	"	"	"	"	
32291	MOTOROLA GTX MOBILE	867SXM7607	Surplus	"	"	"	"	
32749	MOTOROLA GTX MOBILE	867YDS0718	Surplus	"	"	"	"	
33060	MOTOROLA GTX MOBILE	867GWR7414	Surplus	"	"	"	"	
33061	MOTOROLA GTX MOBILE	867FZC0721	Surplus	"	"	"	"	
33198	MOTOROLA GTX MOBILE	867YEE0190	Surplus	"	"	"	"	
33199	MOTOROLA GTX MOBILE	867YEE0182	Surplus	"	"	"	"	
33200	MOTOROLA GTX MOBILE	867YEE0184	Surplus	"	"	"	"	
36300	MOTOROLA GTX MOBILE	867YFG1487	Surplus	"	"	"	"	
36302	MOTOROLA GTX MOBILE	867YF1479	Surplus	"	"	"	"	

C3c

FINAL

200 DEPARTMENT: SHERIFF DEPARTMENT FISCAL YEAR: 2013

ASSET #	DESCRIPTION	SERIAL #	REASON FOR DISPOSAL	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	LOCATION OF FINAL DISPOSAL	DATE OF FINAL APPROVAL
8201	MOTOROLA H/H RADIO GTX	866FXW7135	Surplus	Sheriff Dept.	11/05/12	MOVED TO NEW DISPOSAL FORM		
8202	MOTOROLA H/H RADIO GTX	866FXW7146	Surplus	"	"	MOVED TO NEW DISPOSAL FORM		
30029	MOTOROLA H/H RADIO GTX	866FYQ4935	Surplus	"	"	LESLEY LOFTON	SID DSPL SITE	
30030	MOTOROLA H/H RADIO GTX	866FYQ4937	Surplus	"	"	"	"	
30284	MOTOROLA H/H RADIO GTX	866FYQ4985	Surplus	"	"	"	"	
30285	MOTOROLA H/H RADIO GTX	866FYQ4983	Surplus	"	"	"	"	
30286	MOTOROLA H/H RADIO GTX	866FYQ4982	Surplus	"	"	MOVED TO NEW DISPOSAL FORM		
30290	MOTOROLA H/H RADIO GTX	866FYQ4986	Surplus	"	"	"	"	
30292	MOTOROLA H/H RADIO GTX	866FYQ4977	Surplus	"	"	"	"	
30666	MOTOROLA H/H RADIO GTX	866FZG5227	Surplus	"	"	"	"	
31020	MOTOROLA H/H RADIO GTX	866FYJ5938	Surplus	"	"	"	"	
31324	MOTOROLA H/H RADIO GTX	866FYN5426	Surplus	"	"	"	"	
31326	MOTOROLA H/H RADIO GTX	866FYN5435	Surplus	"	"	"	"	
31327	MOTOROLA H/H RADIO GTX	866FYN5427	Surplus	"	"	MOVED TO NEW DISPOSAL FORM		
31328	MOTOROLA H/H RADIO GTX	866FA0387	Surplus	"	"	"	"	

C3d

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FINAL

8/18/2014

200 DEPARTMENT: SHERIFF DEPARTMENT FISCAL YEAR: 2013

ASSET #	DESCRIPTION	SERIAL #	REASON FOR DISPOSAL	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	LOCATION OF FINAL DISPOSAL	DATE OF FINAL APPROVAL
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3) Sheriff's Department: Vehicle Donation to Board of Education

ASSET #	GRANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION
40809		FORD 2007 CV	2FAHP71W37X128101	DECLARE AS SURPLUS / DONATION	10	13K	SO CENTRAL MAINTENANCE	04/21/14	BOARD OF SUPERVISORS	BOARD OF EDUCATION
				MILEAGE: 156719						

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

a. Road Dept.: 1) Kimley-Horn & Assoc. 2) Digital Now 3) ICA formerly Florence & Hutcheson

b. Mid-South Fair 2014

c. Project Penton – MS Development Authority/DeSoto County Economic Development Council, Site Development Plan Agreement

d. MOU between the City of Memphis, TN & DeSoto County Sheriff's Dept., MS for Interoperable Data Sharing Agreement

e. Order Setting Drainage Tax Levy for 2015 Against Land in Horn Lake Creek for Land in DeSoto County, MS

3. Road Department

a. Request to Make Changes to Road Register and Add Make Part of Board Minutes

b. Safety Report

4. EMS Billing Report

EMS BILLING REPORT

July 2014

Number of ambulance runs billed: 133
 Amount billed: \$46,325.00
 Amount collected: \$26,101.34
 Uncollectable amount: \$1,600.94

	Eudora	Lewisburg	Walls
Dispatched Calls:	73	84	73
Refusals:	15	18	31
Standby Only:	1	1	4
Billed:	49	50	33
Other:	8	15	5

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

June 2014

Number of ambulance runs billed: 106
 Amount billed: \$39,129.00
 Amount collected: \$27,235.95
 Uncollectable amount: \$1,591.44

Fiscal Year To Date Collections:
 Number of ambulance runs billed: 1375
 Amount billed: \$476,830.88
 Amount collected: \$302,137.59

5. Chancery Clerk (2) - \$1,350.00 \$1,916.66

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

G. OLD BUSINESS

1. Budget Discussions FY15

The Board of Supervisors discussed various line items in the budget from page 55 to page 92. They read each line item and discussed the impact of the reductions on the departments.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to reduce meals and lodging in EMA line item number 001-260-476 to \$1,000 from \$4,800.

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 Lee Caldwell said that the EMS Committee would discuss the maintenance necessary on the ambulances.

The Board agreed for Ms. Lynchard to work with EMA to clean up the transition issues and how it will affect the budget.

Ms. Lynchard said the new policy for overtime for the Animal Control Officers will affect the budget.

Supervisor Bill Russell recommended not changing anything on the budget for Region IV.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to change the allocation for the Planning Department for mileage and other travel cost back to \$1,100 in order to maintain necessary certifications.

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 Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve reducing the Olive Branch Arts Council line item by \$1,000.

The motion passed 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>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

Supervisor Jessie Medlin made the motion to reduce the allocation to the DeSoto County Arts Council

by \$2,000.

The motion failed for lack of a second.

The Board agreed to continue budget discussions on August 20, 2014 at 10:00 a.m.

H. NEW BUSINESS

1. Office of Procurement

a. Purchase exceeding \$25,000: Sheriff’s Dept. – Mobile License Plate Reader

Sergeant Macon Moore and Procurement Clerk Karen McNeil presented two quotes to purchase a mobile license plate reader for the Sheriff’s Department in an amount exceeding \$25,000.

Sgt. Moore said there is a signed agreement with Homeland Security and this is fully covered by a grant. He said this equipment will help with Amber Alerts and kidnappings and many other things. It reads the license plate number and searches the database and comes into their dispatch and they can put it out to other cities. It requires batteries and is maintenance free. The device can read the number on a license plate within two seconds.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve the purchase of a mobile license plate reader for the Sheriff’s Department in the amount of \$39,000.00 with Homeland Security grant funds out of budget 110-202-918.

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 said this is a good use of technology and will help fight crime and there is no direct cost to taxpayer or the County budget. Supervisor Gardner said he did not see a down side.

Mr. Eric Boling of Eudora said he appreciated all that the deputies do. He said he is concerned about using more gadgets. He said he has had four vehicles stolen. Mr. Boling asked about software, installation, maintenance and upgrades for the equipment. He said he supports the county but feel like we need to rein in the gadget mania.

Supervisor Gardner said he hears Mr. Boling’s concerns but he does not see a down side to this equipment.

Sgt. Moore said all software and servers are maintained in Jackson and he does not envision costs down the road. Sgt. Moore said he does not think any of the Sheriff’s Departments buys gadgets just for the sake of buying them. He said this one is strictly used for finding suspects. If there is a tag that shows up on the hit list then we have a suspect. The tag number goes through Homeland Security which can search our camera and investigative data. The system is purged every 30 days.

Supervisor Lee Caldwell thanked Sgt. Moore and said they appreciate everything he does. Supervisor Caldwell told Mr. Boling that they appreciate his concerns but the Supervisors have to do what is best for the county.

Mr. Boling thanked the Supervisors for letting him speak to them about this matter.

See Exhibit H.1.a

b. Bids under Advisement – Approval to Reject bids and Request to re-bid

1) Annual Traffic Striping

Ms. McNeil said two bids were received for traffic striping and only one of those bids included prices but that bid did not meet specifications.

Supervisor Jessie Medlin asked about how many vendors the bids specs were sent to. Ms. McNeil said about six vendors. She said they would like to rebid and use a 150 mile radius instead of 125 mile radius. She said they are not revealing the pricing of the one bid because they are requesting to rebid it.

Supervisor Gardner asked how much the Road Department spends on striping. Road Manager Andy Swims said striping is a good safety issue they try to stay on top of it as much as possible. Supervisor Gardner said he has received praise from a constituent about how well the county stripes the roads.

Supervisor Gardner asked if the county may need to buy a striping machine. Mr. Swims said they could look into that. He said they spent \$97,000 striping the roads through July. Mr. Swims said he would bring the cost of purchasing the vehicle, manpower and maintenance back to the Board.

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to approve rejecting and rebidding for the annual traffic striping for the County Road 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>

2) Cement Treated Base

Procurement Clerk Sheila Morris requested rejecting and rebidding cement treated base for the Road Department.

Supervisor Bill Russell asked if APAC was higher; Ms. Morris said there was a 2% increase.

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to reject and rebid for cemented treated base.

Supervisor Jessie Medlin said he did not think it was fair to the company that did send in a bid.

The motion failed 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>NO</u>
Supervisor Lee Caldwell, Fourth District	<u>NO</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

After the Board of Supervisors made a determination that APAC was the lowest and best bid submitted, Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve the bid with APAC for cement treated, bid file number 15-156-011 as fully described in Exhibit H.1.b.2.

The motion passed by a vote as follows:

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

Ms. Morris said the public has a problem registering with the county on our web site. Ms. Lynchard said this one thing we are chasing.

Supervisor Gardner suggested sending a certified letter. Ms. Lynchard said it would be very expensive because we send hundreds. Ms. Lynchard asked Ms. Morris if they could start calling and emailing the bidders. Ms. Morris said yes.

See Exhibit H.1.b.2

3) Ready Mix Concrete

Ms. Morris said there is one bid on ready mix concrete for the Road Department. She said the other vendor had email issues.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to reject and rebid ready mix concrete.

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>

2. Recreation District: Eudora Park Improvements

Parks and Greenways Coordinator Larry Jarrett recommended a 20 x 36 foot wooden pavilion, 2 picnic tables, 1 garbage can and 2 benches for the Eudora Park at a cost of approximately \$30,000. He said the pavilion would have a wood shingle roof. Mr. Jarrett said a metal building with a metal roof would cost approximately \$35,000. Supervisor Lee Caldwell said there is a concrete slab already in place. She said they would need to get quotes and come back to the Board for approval of a purchase exceeding \$25,000.

Supervisor Bill Russell wants the Parks Committee to be involved in this project before making a purchase.

Supervisor Mark Gardner said that he would implore Mr. Jarrett to always present an exhibit in these types of recommendations.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve presenting this project for Eudora Park to the Parks Committee and to bid the project with metal and another bid with wood.

The motion passed by a vote as follows:

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

3. Office of Procurement

a. Inventory Dispositions: Preliminary 8/18/2014

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the preliminary dispositions as follows:

1) Chancery

ASSET #	GRANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	YR ACQ	COST	LOCATION AT PRELIMINARY
32637		Samsung 213T Monitor	NB21H4JW700158U	POWERS UP/LINES THROUGH SCREEN/FLICKERS/NONREPAIRABLE	03	13H	CHANCERY STORAGE

2) Road Department

ASSET #	GRANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	YR ACQ	COST	LOCATION AT PRELIMINARY
36131		4000 WATT GENERATOR	93176-2191375	WILL NOT POWER UP/ NON REPAIRABLE	10	3H	CENTRAL MAINTENANCE

3) Sheriff's Department

ASSET #	GRANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	YR ACQ	COST	LOCATION AT PRELIMINARY
42623		FORD 2003 EXPEDITION	1FMPU15L63LB79073	DECLARE AS SURPLUS / AUCTION	12	7k	SO CENTRAL MTNC
			HIGH MILEAGE: 232000	PULLED FROM SERVICE 03/06/14			
40798		FORD 2008 CVC	2FAHP71V08X158567	DECLARE AS SURPLUS / AUCTION	10	14K	SO CENTRAL MTNC
			HIGH MILEAGE: 167866	PULLED FROM SERVICE 07/17/14			

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.a

b. Supplemental 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 supplemental claims docket individually and the Board discussed these items.

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 Bill Russell seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Chief Financial Officer.

The motion passed by a vote as follows:

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

4. Contracts Administration

a. Tax Assessor's Office: 2014 Application for Certification for the Ad Valorem Levy of One (1) mill and authorization to be signed by the Board President & Chancery Clerk

County Administrator Vanessa Lynchard presented a letter, dated July 25, 2014, from the State Tax Commission that requests DeSoto County Board of Supervisors to complete the attached application for the Ad Valorem Levy of one (1) mill; and have the County Assessor, Chancery Clerk and the Board President to sign the application and return on or before September 30, 2014.

Supervisor Harvey Lee made the motion and Supervisor Bill Russell seconded the motion to approve filling out the application for the Ad Valorem Levy of one (1) mill; and authorize the County Assessor, Chancery Clerk and the Board President to sign the application and return it on or before September 30, 2014 in order to expend the (1) mill levy.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>ABSENT</u>
Supervisor Mark Gardner, Second District	<u>ABSENT</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.4.a

b. Yearly Renewal of the Homeland Security Task Force Protection Coordinator Agreement for Fred Randle

Supervisor Harvey Lee made the motion and Supervisor Bill Russell seconded the motion to approve the Homeland Security Task Force Protection Agreement for the coordinator's salary, Fred Randle for approximately five years and to authorize the Board President to sign the documents and make the fully executed documents part of the Board minutes.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>ABSENT</u>
Supervisor Mark Gardner, Second District	<u>ABSENT</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.4.b

5. County Administrator: Streaming Mitigation Reporting – Approval of Agreement with W.E.I.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve the Compensatory Stream – Monitoring Plan for the DeSoto County Detention Facility with Waggoner Engineering, Inc. as fully detailed in Exhibit H.5.; and to authorize the Board President to sign the documents and make the fully executed documents part of the minutes.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>ABSENT</u>
Supervisor Mark Gardner, Second District	<u>ABSENT</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.4.b

I. PLANNING COMMISSION AGENDA

DESOTO COUNTY BOARD OF SUPERVISORS
ORDER OF ITEMS

August 18, 2014
11:00 a.m.

I. OLD BUSINESS

Supervisor Gardner made a Motion to open the Public Hearing to discuss an appeal on behalf of Mr. Bill Lauderdale of a Board of Adjustment Decision. 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>ABSENT</u>

Mr. Haysley stated the appellant requested to continue this item until 11:00 a.m. on September 2, 2014. Supervisor Medlin stated to please let Mr. Myers know how important it is that he attends the September 2, 2014 meeting.

Supervisor Medlin made a Motion to close the Public Hearing to discuss an appeal on behalf of Mr. Bill Lauderdale of a Board of Adjustment Decision. Supervisor Gardner 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>ABSENT</u>

Supervisor Medlin made a Motion to continue the Public Hearing to discuss an appeal on behalf of Mr. Bill Lauderdale of a Board of Adjustment Decision until 11:00 a.m. on September 2, 2014. Supervisor Gardner 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>ABSENT</u>

a. PUBLIC HEARING (11:00 AM)

Supervisor Gardner made a Motion to open the Public Hearing to discuss Crosswinds Rezoning (729). 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>ABSENT</u>

Supervisor Caldwell recused herself from this item.

- i. Crosswinds Rezoning (729) – Application is for approval of Rezoning of property from Agricultural-Residential (A-R) to Planned Unit Development (PUD), identified as Parcel #3-06-3-05-00-0-00015-01. Subject property is located on the east side of Craft Road and south of Byhalia Road in Section**

**5, Township 3, Range 6 and is zoned Agricultural-Residential (A-R).
(District 5)**

Mr. Haysley presented the Crosswinds Rezoning application and stated the Planning Commission had a tied vote on the recommendation of this item.

Supervisor Lee asked if there was anyone present to speak for this item.

Mr. Mike Bailey came forward and discussed the availability of gas and sewer for this project. He stated he spoke with the City of Olive Branch and they are working on the natural gas situation in the area. He then stated in the mean time until the issue is resolved they will start with all electric homes in the development if approved. He stated he is working on a sewer plan that MDEQ will approve. He presented a document concerning the sewer plan for the development. Supervisor Medlin stated the sewer lagoon will be east of the proposed site, will it be feasible to put the lagoon there with only 24 lots in the development. Mr. Bailey stated if put in that location that is where the pump station will be and when there is more development it will be able to hook into DCRUA. There was discussion of when it will be feasible to hook into DCRUA. Supervisor Gardner asked if neighbors have seen a copy of the letter concerning the sewer. Mr. Bailey stated he doesn't think the neighbors have seen the letter. Supervisor Medlin asked when hooking up to sanitary sewer would the point of hookup be at Craft Road or at the lagoon. Mr. Bailey stated whichever is more feasible would be where the hookup would be located. Supervisor Gardner pointed out in the letter where it stated once wastewater is treated at the house and leaves the house it is no longer hazardous. Supervisor Russell stated he has the same type of system in his neighborhood and MDEQ comes out every 18 months to test the water that is treated and sent to the community lake/creek and it is no longer hazardous. Supervisor Medlin asked who will manage this treatment system. Mr. Bailey stated he is not sure yet but that it will have to be someone who is licensed.

Mr. Pat Dorr came forward and stated he works for First Security Bank and has worked with this developer on other subdivision. He stated one particular subdivision he has worked with Mr. Bailey on is College Hills and it is a very nice subdivision with boulevards and a lagoon near or in the flood zone. He then stated Mr. Bailey is very capable and takes pride in his developments. He stated he is in support of the developer.

Supervisor Lee asked if there was anyone present to speak against this item.

Mr. Terry Abner came forward and stated he feels this development is uncharacteristic of the neighborhood. He stated he was told the Health Department would be diligent about enforcing the smell from the treatment plant, but that when he spoke with the Health Department they stated they only get involved if the system is malfunctioning. He stated he was told by Bradley Crane with the State that the systems would have to be overseen by the utility company.

Mr. Tim Curtis – 2382 Fletcher Cove- stated the homes are uncharacteristic of the neighborhood and the citizens of the community are all against the project. He then stated they have problems with drainage in his development, they have septic problems with the sewer systems and their subdivision was developed by Mike Bailey. He stated the septic systems are too small for the homes. He stated the members of the community beg the Board not to shove this type of development down their throats.

Supervisor Gardner asked how close Mr. Curtis's house is to the proposed development. Mr. Curtis stated his home is about a mile from the proposed development. Supervisor Gardner asked what lot size would be acceptable to Mr. Curtis. Mr. Curtis stated $\frac{3}{4}$ acres would be acceptable. Supervisor Medlin asked what type of sewer system Mr. Curtis has in his development. Mr. Curtis stated he has the same type of system that is being proposed in the development.

Mr. Murray Hayslip came forward and stated the community is against this development because the lots are too small. He stated there are no $\frac{1}{2}$ acre lots in the area. He stated he would go along with $\frac{3}{4}$ acre lots. Supervisor Medlin asked what size lots are approved in Mr. Hayslip's development. Mr. Hayslip stated his development was approved for $1 \frac{1}{2}$ acre lots. Supervisor Medlin asked what the lot sizes in Villages of Hawks Crossing are. Mr. Haysley stated the lots range in size from $\frac{3}{4}$ acres down to 12,000 sqf.

Ms. Rebecca Remington came forward and stated there is not a public need for this type of development and the development is not characteristic of the neighborhood. She stated this proposed

development is not a PUD and should be rezoned to R-20. She stated she is concerned with flooding, the fire rating and increasing school enrollment at the Lewisburg schools.

Supervisor Gardner stated it seems the neighbors would be agreeable with $\frac{3}{4}$ acre lots. Ms. Remington stated she would be happy with 3 acre lots and she is still concerned with the proposed sewer system.

Supervisor Medlin stated that a PUD usually sets aside 10% open space and Mr. Bailey is stating that the minimum house size will be 1800 sqf, where is this documented. Mr. Haysley stated he believes that it is documented in the project site plan.

Ms. Betty Dixon - 1140 Craft Road- came forward and stated that unless someone lives in the Lewisburg area they are not personally affected by this development. She stated the community does not want their schools overcrowded and they do not want an increase in traffic in the area.

Jason Wood - 1116 Aquilla- came forward and stated he lives in Villages of Hawks Crossing and in his subdivision even a 12,000 sqf lot has a minimum house size of 2300 sqf. He stated he does not see how rear loading garages with alley ways will work on the size lots proposed in this development. He stated he thinks it is uncharacteristic of the neighborhood.

Marcel Robicheaux – 1108 Merloun Drive- came forward and stated there is already classes in the school that are at maximum capacity and there are many lots still not developed, why approve more.

Jack Massey - 4660 Sunset Drive- came forward and stated I-269 is going in front of his home and asked about the corridor study. He then stated we are going to have growth and does not have a problem with 20,000 sqf lots that not everyone can afford 10 acre lots.

Supervisor Medlin asked how wide the streets in the back of the lots are. Mr. Bailey stated they are 18 ft. wide.

Stephen Folks – 1151 Merloun Drive- came forward and stated he is concerned with future development and what the proposed subdivision will lead to. He stated he is also concerned with the minimum house size, future lots being smaller than the ones currently propose, traffic problems, school overcrowding and the proposed sewer system.

Supervisor Medlin stated the 80 acres behind the proposed property is currently approved for $\frac{3}{4}$ acre lots. Supervisor Gardner stated the property beside the proposed development says for future development and asked Mr. Bailey what would be his plans for that area. Mr. Bailey stated the market would dictate the plan for that area.

Supervisor Russell asked what the average house size is in Villages of Hawks Crossing. Mr. Folks stated the average size of homes in Villages of Hawks Crossing is 3,000 sqf but the minimum house size is 2,000 sqf. Mr. Garrod stated he believes the minimum hose size is 2,000 sqf but the builders are exceeding the minimum. Supervisor Gardner clarified that there will not be 1,200 sqf homes in the area.

Supervisor Gardner stated that the neighbors want 30,000 sqf lots in the proposed development and asked Mr. Bailey to explain why he wants 20,000 sqf lots in the development. Mr. Bailey stated the cost of development dictates the smaller lot sizes with the cost of asphalt and such. He then stated there are people who like to live on smaller lots. Supervisor Gardner stated it seems rear loading garages and alley ways would cost more. Mr. Bailey stated they are putting more money into this subdivision than they have others. Supervisor Medlin asked how wide the boulevards would be. Mr. Bailey stated they would be 18 ft. Mr. Haysley clarified that the boulevards would be 18 ft. wide on each side.

Supervisor Medlin asked if Mr. Bailey would be willing to increase the minimum square footage of the homes to larger than 1,800 sqf. Mr. Bailey stated he would like to keep them 1,800 sqf. Supervisor Russell asked how big of a home could be built on size lots that are in the proposed subdivision. Mr. Bailey stated at least 4,000 sqf lots could be built on the lots. Supervisor Medlin asked if Mr. Bailey would be willing to install a certain type of uniform mailbox throughout the subdivision. Mr. Bailey stated the mail would be delivered to the rear of the home. He stated he will have a “no rentals allowed” in the covenants.

Mr. Robicheaux stated he is concerned the homes in the surrounding area will not remain at their current value if this development is approved.

Ms. Remington discussed what types of homes are selling in the area.

Mr. Abner asked who would enforce the “no rentals allowed” rule. Supervisor Russell stated the Homeowners Association would enforce that rule.

Ms. Debra Cleary -4888 Bright Heights Rd. – came forward and stated there are already traffic issues in this area, why add more traffic to an already bad situation. She then stated there is not infrastructure there to support this development. She stated she is also concerned with flooding in this area.

Supervisor Russell asked why this development is being called a PUD. Mr. Garrod stated that the only way to have this type of density is to have a PUD because of the Comprehensive Plan. Supervisor Russell stated that the Comprehensive Plan is not the Ordinance. Mr. Garrod stated it is not the Ordinance but should be used as a guideline. He then explained what a PUD is. Supervisor Russell asked if the Planning Department considered this project a PUD. Mr. Garrod said the Planning Department does consider this project a PUD due to the boulevard, the rear loading access and the natural areas/open spaces. Supervisor Gardner asked if it is safe to say that PUD’s are not cookie cutter developments. Mr. Garrod stated it is safe to say that because the amenities and such can be negotiated in a PUD project.

Supervisor Russell asked if due to the drainage and the 100 year flood zone if houses will have to be raised 2 ft. Mr. Garrod confirmed houses will have to be raised 2 ft. due to the flood zone. Supervisor Russell asked about the roads in the development. Mr. Swims stated they look at the plan for the drainage and how the water will get out of the development. Supervisor Russell asked how the water will drain out of this particular development. Mr. Swims stated the development will have to have adequate ditches. Supervisor Russell asked if there will be pipes under the ditches. Mr. Swims stated he hasn’t seen the plan yet, but that the developer’s engineer will have to submit the plans that show they have done due diligence and show how it is drained. Mr. Garrod explained the new Flood Ordinance as it pertains to the elevation of roads.

Supervisor Medlin asked how wide the streets are that run north and south to the alley streets. Mr. Bailey stated they are 18 ft. wide and are privately owned and maintained by the Homeowners Association. He then stated only the main road will be maintained by the County. Mr. Murray Hayslip asked if a private drive can serve more than 3 lots. Supervisor Medlin stated that an easement can only serve 3 lots, that these are private roads owned by the HOA. Supervisor Gardner asked if the HOA dues will be adequate to maintain the roads. Mr. Bailey confirmed that the dues would be adequate to maintain the roads.

Mr. Abner asked who enforces the “no on-street parking” rule. Supervisor Lee stated the HOA enforces that rule.

Ms. Alice Sturgehill -1591 Craft Road- asked what are the citizens of dark corner going to do when this development causes more flooding in their community. Supervisor Russell explained that the development cannot have any more runoff than is there predevelopment.

Supervisor Russell made a Motion to approve Crosswinds Rezoning (729) based upon a finding, after consideration of the comments of the applicants, the planning department staff, and the public and consideration of all the documents presented that there is substantial evidence to conclude there has been substantial changes in the character of the neighborhood and there is a public need for the zoning classification requested. Further, that the approval of the rezoning request is subject to the following conditions:

1. The covenants shall reflect “no rental” property; and
2. Is dependent on the submittal of a site plan acceptable to the Planning Department.

Supervisor Gardner 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>ABSENT</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>NO</u>

Supervisor Gardener stated this Board has to make hard decisions and they appreciate all the neighbors coming and voicing their concerns. He then stated the Board asked the developer to go back and bring back something that was a compromise and he feels like the developer has done this.

Ms. asked what the appeal process was for this decision.

Supervisor Medlin made a Motion to close the Public Hearing to discuss Crosswinds Rezoning (729). 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>ABSENT</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

II. NEW BUSINESS

a. Building Permit Report – July, 2014

Mr. Haysley presented the Building Permit report for July, 2014. Supervisor Caldwell asked how many families are moving into DeSoto County a week. Ms. Lynchard stated that the latest report says 5.8 families are moving into DeSoto County a week.

b. Consent (Minor Lot Subdivisions)

- i. Donna Perkins Minor Lot (6943) – Application is for final subdivision approval of one (1) lot of 3.0, identified as Parcel #3-06-9-31-00-0-00008-02. Subject property is located on the north side of County Line Road and west of Smith in Section 31, Township 3, Range 6 and is zoned Agricultural (A). (District 5)**
- ii. Zachary Minor Lot (6944) – Application is for final subdivision approval of one (1) lot of 8.26 acres identified as Parcels #3-09-6-14-00-0-000-10-00 and #3-09-6-14-00-0-000-10-04. Subject property is located on the north side of W. Oak Grove Rd. and east of Baldwin Rd. in Section 14, Township 3, Range 9 and is zoned Agricultural (A). (District 4)**
- iii. William McDermott Minor Lot (6945) – Application is for final subdivision approval of one (1) lot of 3.2 acres and one (1) lot of 3.09 acres identified as Parcel #3-06-9-30-00-0-00004-02. Subject property is located on the east side of Dairy Barn Rd. and south of Holly Springs Rd. in Section 30, Township 3, Range 6 and is zoned Agricultural (A). (District 5)**
- iv. Romans Minor Lot (6947) – Application is for final subdivision approval of one (1) lot of 9.04 acres and one (1) lot of 9.08 acres identified as Parcels #2-08-3-07-00-0-00006-03 and 2-08-3-0700-0-00006-02. Subject property is located on the south side of Church Rd. and west of Fogg Rd. in Section 7, Township 2, Range 8 and is zoned Agricultural-Residential (A-R). (District 4)**

Mr. Haysley presented the Consent Agenda.

Supervisor Lee made a Motion to approve the Consent Agenda. Supervisor Gardner 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>

c. Final Subdivision

- i. Marshall Farms, Phase 2 Section B (6946) – Application is for final subdivision approval of four lots on 20.81 acres identified as Parcel #2-09-6-14-00-0-00001-00. Subject property is located on the south side of Austin Rd. and west of Hwy. 301. in Section 14, Township 2, Range 9 and is zoned Agricultural-Residential (A-R). (District 4)**

Mr. Haysley presented the application for Marshall Farms, Phase 2 Section B for approval of final subdivision of 4 lots on 20.81 acres of property. He stated the final subdivision is in substantial conformity with the preliminary subdivision approval and the Planning Commission recommended approval of this item. He then stated only a maintenance bond will be required per the Road Department. Supervisor Gardner asked how much the road bond would be. Mr. Swims stated the bond would be \$9,000 for two years. Supervisor Gardner asked if the second overlay had been done. Mr. Swims stated he is sure that it has been done since it is only required to have a maintenance bond.

Supervisor Caldwell made a Motion to approve the Marshall Farms, Phase 2 Section B subject to the staff recommendations provided, if any. 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>

d. Refund Requests

- i. Richard D. Chandler - \$50.00 Building Permit Fee Refund**

Mr. Haysley presented the refund request for a \$50.00 building permit fee by Richard D. Chandler.

Supervisor Lee made a Motion to approve the refund request for a \$50.00 building permit fee by Richard D. Chandler. Supervisor Caldwell 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>

- ii. Friendship Church of Christ - \$150.00 Conditional Use Application Fee Refund**

Mr. Haysley presented the refund request for a \$150.00 Conditional Use Application Fee by Richard D. Chandler.

Supervisor Lee made a Motion to approve the refund request for a \$150.00 Conditional Use Application Fee by Richard D. Chandler. Supervisor Medlin 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>

J. EXECUTIVE SESSION

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

K. OTHER

1. House of Grace

Ms. Lorraine Cady and Ms. Frieda Brown appeared before the Board of Supervisors regarding the House of Grace. Ms. Cady said she knows money is tight for everyone and thanked the Board for their help in past years.

Ms. Cady said the House of Grace has an increase in clients and now are housing eight children with their mothers. She said that Governor Bryant appointed Ms. Cady and he had written new legislation on handling grants; the bill was passed. She said the House of Grace is a Christ centered organization that ministers to abused women and their children.

Ms. Cady said in past years the county contributed \$30,000 but last year it was about \$28,000 and they were thrilled to get that.

Ms. Brown said they are now serving nine counties and some of them give \$5,000. She said they have a counselor and social worker on staff. Sometimes they have to go to court.

Supervisor Lee Caldwell made the motion to take the matter of a contribution for the House of Grace under advisement. Supervisor Jessie Medlin seconded the motion.

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 Lee Caldwell said she would personally like to help and if they have a Tennis Tournament she would be glad to help.

See Exhibit K.1

2. Waggoner Engineering

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to hire Tracy Huffman with Waggoner Engineering to provide engineering services necessary to have the Project Penton potential industrial site certified through the Entergy and MDA site certification process.

The motion passed 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>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to recess the Board meeting until August 20, at 10:00 a.m.

The motion passed by a vote as follows:

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

THIS the 18th day of August, 2014, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Lee Caldwell, President
DeSoto County Board of Supervisors