

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

BILL RUSSELL, PRESIDENT 2007 PRESIDING

December 5, 2007

A. CALL TO ORDER

The December 5, 2007, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Bill Russell, Board President.

Chief Deputy Charlie Brown of the DeSoto County Sheriff’s Department was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

- Supervisor Jessie Medlin-----District 1
- Supervisor Eugene C. Thach-----District 2
- Supervisor Bill Russell-----District 3
- Supervisor Allen Latimer-----District 4
- Supervisor Tommy Lewis-----District 5
- W. E. Sluggo Davis-----Chancery Clerk
- Michael Garriga-----County Administrator
- Tony Nowak -----Board Attorney
- Chief Deputy Charlie Brown-----Sheriff’s Department

B. INVOCATION

Supervisor Eugene Thach presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. PLANNING COMMISSION

The minutes for the portion of the meeting organized by the Planning Commission are presented and made a part of these minutes as Exhibit D.

See Exhibit D

E. OLD BUSINESS

1. Tax Collector / Assessor Agreement with Cities

Board Attorney Tony Nowak said the new interlocal agreement for the Tax Collector and the Tax Assessor between the cities and the county, coordinates the way the money changes hands. He said the Tax Collector collects and the Tax Assessor assesses for the cities. Mr. Nowak said the Tax Collector previously would retain \$100,000 of city collections and the remainder would go back to the cities. He said under the new interlocal, the county would withhold three percent up to \$100,000 plus what the cities have previously paid to the Collector and Assessor directly along with the matching retirement and social security. He said the county will begin to retain the money that the Cities previously paid to the Collector and Assessor. He said the new agreement will not change what the Assessor and Collector will be paid. He said it just changes the manner in which the money goes in and out and the manner in which the Assessor and Collector receive the money.

Supervisor Bill Russell said, now the county will have to pay the match part of the cities’ payments to the Collector and Assessor.

Supervisor Allen Latimer said the county still receives a refund on this money in the amount of \$100,000.

Supervisor Jessie Medlin said the county would retain \$95,000.

Mr. Nowak said that the Tax Collector told him that he will not return the \$5,000 back to the cities that were previously returned to them, so the county will receive \$100,000. He said that the cities of Southaven and Olive Branch have traditionally reached the cap while the other cities have not.

Supervisor Eugene Thach asked what the total is they will receive. Mr. Nowak said the Collector and the Assessor will each receive \$33,292 from the cities plus \$10,000 each from the county.

Supervisor Medlin said he talked to the Tax Collector this morning and the county is not increasing the \$100,000 cap under these agreements. He said the growth of the cities through development and annexation make him believe that the county should increase the \$100,000 cap. Supervisor Medlin said he does not agree that capping the car tags would be an appropriate action. Supervisor Medlin said that the Tax Collector and Assessor handling this work for the cities is a good deal for the taxpayers.

Supervisor Bill Russell said they are not insisting that the cap be on both items. Mr. Garriga agreed.

Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to approve each interlocal agreement and resolution between the cities, county and Tax Collector and Tax Assessor, and to approve the additional compensation for each office. The motion passed by a unanimous vote. **See Exhibit E.1**

2. Circuit Clerk – Contract for Programming Voting Machines

County Administrator Michael Garriga presented a letter from Circuit Court Clerk Dale Thompson, explaining that the contract for programming voting machines is for coding, ballot layout, programming, testing and setup of the voting machines for each election. She explained that this service was previously paid to Election Systems and Software Company, but since the new State Wide Election Management System was installed the Clerks can now provide this service. She said the increase from \$50 in the previous contract to \$100 in the proposed contract is due to the fact that her office was not aware of all that was involved during the first year of programming. She said, at this price, there is still a savings to the county.

Ms. Thompson reminded the Board that by using this system, we were the only county in the state that had absentee ballots printed and available to vote on time for our elections. Ms. Thompson joined the meeting by telephone and explained that this system is a more efficient way to handle the elections. She said during the summer in the presidential election, we will be able to program our mock elections. She said, by using this arrangement, we print our own ballots and absentee ballots as well.

Supervisor Eugene Thach asked if Ms. Thompson's employees receive this money. Ms. Thompson said it goes into her fee account. She said this summer she had to hire a part time worker to do this work. She said elections are almost a full time job now. She said one person works that full time job now. She said one person works full time and two other people work with the full time person to get the work done.

Supervisor Thach asked if she pays the people overtime. Ms. Thompson said yes, when they work overtime. She said that different clerks are charging different amounts all over the state and she based this fee on fees of other clerks from the north part of the state.

Supervisor Bill Russell asked how many machines we have. Ms. Thompson said we have 45 Automarks and 45 Optical Scan Machines.

Supervisor Allen Latimer asked if each election is treated as a separate event under the contract. Ms. Thompson said yes. She said that the fee has been an approved fee for many years but until the new voting requirements were adopted the clerks throughout the state did not do the specific work.

Ms. Thompson said she appreciates the Board voting to stay with the Optical Scan Machines. She said other counties have had substantial problems with the Automark voting systems.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve the contract between Desoto County and Circuit Clerk, Dale Thompson, for programming the voting machines. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----NO
Supervisor Bill Russell-----YES
Supervisor Allen Latimer-----YES
Supervisor Tommy Lewis-----YES

See Exhibit E.2

F. NEW BUSINESS

1. Youth Services

County Administrator Michael Garriga said that we have had many conversations with the state and Youth Services. He said we are trying to resolve the issues with the Department of Youth Services. County Court Judge Allen Couch said there is a budget for Youth Services. He asked if the county is reimbursed for Youth Services. Mr. Garriga said we are reimbursed for some of the DHS offices but not all of them. Judge Couch presented a Youth Court case example list. He said that the psychological evaluations are budgeted and paid for by the county on an as needed basis. The evaluation usually costs \$600 to \$800 each and this year he asked for an increase in that line item to \$7,500 for the year. He said when he received his monthly budget report he noticed that we have spent \$6,200 in this area already.

Supervisor Bill Russell asked if the people who request the evaluations are the ones who actually perform the evaluations. Judge Couch said no. He said, in this case, Youth Service Counselors sent the children for the evaluations. He said there is a substantial problem with no one working on site to manage the day to day routine of the employees in Youth Services or to generally manage the office. Judge Couch said they are state employees and there is no one on site to train the workers or tell them what to do. Judge Couch said that ordering office supplies from the county budget has been abused so he has taken that authority away from the workers. He said if there were any supervision in that office he would not have to be their office administrator.

Mr. Garriga said that, in most counties with a smaller caseload, the Youth Court Judge oversees the other offices. He said the state is beginning to be a little more responsive than before. He said the state has agreed to pay for these evaluations that were ordered in error. Judge Couch said, whether the evaluations are being paid from the state or the county, tax money is being wasted. Judge Couch reminded the Board that some key people retired at the first of the year and that has left us in a bind.

Judge Couch said there are a couple of Youth Service statutes that he wants to act on.

Board Attorney Tony Nowak suggested going into Executive Session to discuss these items.

Judge Couch said the state has designated Communicare to do evaluations.

Supervisor Eugene Thach asked who will do the training in Youth Services. Judge Couch said the Supervisor should be, but he is located in Cleveland, MS.

Judge Couch said, yesterday the county IT Department called and said the computer belonging to the receptionist at the Youth Services Department, had been taken away because of internet issues and she worked through the county to get internet access restored. He said he is not interested in that office having internet access but he is spending a significant amount of time handling these issues instead of the work of the County Court Judge and Youth Court Judge.

The balance of this issue was handled in Executive Session as it could lead to potential litigation.

2. Accept Solid Waste Officer Grant and Board President to Sign

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to accept the Solid Waste Officer grant and authorize the Board President to sign the grant paperwork. The motion passed by a unanimous vote. **See Exhibit F.2**

3. Sheriff's Department – Appointment of Interim Sheriff

At the recommendation of the Board Attorney, Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to appoint Sheriff-Elect Bill Rasco as interim sheriff for the six day gap from January 1st through January 6th, 2008 to cover the time between Sheriff Riley's resignation on December 31st and the start of the 2008 term. The motion passed by a unanimous vote.

4. Making Fully Executed Agreements Part of the Minutes

- a. Fully Executed Agreement for NRCS for Bonner Drive, Gwynn and Nesbit Roads**
- b. Attorney General's Approval of Interlocal for Digital Orthophotography**
- c. Attorney General's Approval of Interlocal for 2007 Byrne Justice Assistance Grant Program**
- d. Attorney General's Approval of Interlocal for Public Ambulance Service**

Supervisor Allen Latimer made the motion and Supervisor Jessie Medlin seconded the motion to approve making these fully executed agreements part of the minutes:

- a. Fully Executed Agreement for NRCS for Bonner Drive, Gwynn and Nesbit Roads
- b. Attorney General's Approval of Interlocal for Digital Orthophotography
- c. Attorney General's Approval of Interlocal for 2007 Byrne Justice Assistance Grant Program
- d. Attorney General's Approval of Interlocal for Public Ambulance Service

The motion passed by a unanimous vote. **See Exhibit F.4**

G. EXECUTIVE SESSION

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

H. OTHER

1. Digital Presentation

County Administrator Michael Garriga told the Board that business is being done digitally these days. He said we have come a long way and he would like for the board to consider

receiving the information for the Board of Supervisors Meetings digitally. He said it may streamline the operation and it is very simple to use.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to instruct the County Administrator to schedule a meeting with each Board member individually and demonstrate how the system operates. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----NO
Supervisor Eugene C. Thach-----YES
Supervisor Bill Russell-----YES
Supervisor Allen Latimer-----YES
Supervisor Tommy Lewis-----YES

Supervisor Allen Latimer said he likes the printed copy because it allows him to review the paperwork more easily without having to sit in front of a computer screen. Supervisor Latimer said that reading long documents from a computer screen can be tiring.

Supervisor Jessie Medlin said he likes a paper copy too. He said he would support every Supervisor getting their preference. He suggested letting everyone who wants the paper copy get the paper copy and everyone who wants the digital copy gets the digital copy.

Supervisor Russell said he hopes that if there is a consensus of three Board members to get the information digitally that all of the Board members will do that. Supervisor Russell said he hopes that each Supervisor will get with Mr. Garriga to look at the system.

Supervisor Medlin said he thinks that everyone should get their choice.

Supervisor Thach said the issue is how you can best do your job and some people may like one system and others may like the other system.

Supervisor Russell said the Board is always trying to save money and this is a good efficient way to do business.

Supervisor Tommy Lewis said, what ever we do, the Board will always have some paperwork.

2. Appointment – DCRUA

Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to reappoint Barry Bridgforth to serve as the Board of Supervisors appointee on the Desoto County Regional Utility Authority Board for a term of four years. The motion passed by a unanimous vote.

3. Property Acquisition

Supervisor Tommy Lewis said that he received word that some property in the City of Hernando will be on the market soon and the Board may be interested in looking at that property for acquisition.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to recess the meeting until December 17, 2007, at 9:00 a.m. The motion passed by a unanimous vote.

THIS the 5th day December 2007, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Bill Russell, President
DeSoto County Board of Supervisors