

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

**TOMMY LEWIS, PRESIDENT 2009 PRESIDING**

**August 24, 2009**

**A. CALL TO ORDER**

The August 24, 2009, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Tommy Lewis, Board President.

Deputy Carl Hurt 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
- Sheriff Bill Rasco-----Sheriff

**B. INVOCATION**

Deputy Carl Hurt presented the invocation.

**C. PLEDGE OF ALLEGIANCE**

**D. CONSENT**

The Board of Supervisors considered the items presented on the Consent Agenda.

Board Attorney Tony Nowak requested that the Data Systems Management agreement be removed from the Agenda. Mr. Nowak said there are issues in the contract that need to be resolved.

Supervisor Tommy Lewis asked how the safety grants are being affected with the reduction in funds. Grants Administrator Joyce Herring said the County asked for \$104,000 in the grant. She said they told her the grant only pays only \$100,000 and would not pay health insurance for the employee. She said the Sheriff’s participation in the grant was up \$15,000.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to approve the Consent Agenda and the reports and actions set forth therein, and to remove the Data Management Systems contract with approval as follows:

**1. Accounting – Interfund Loan**

From: General County Fund	001-000-054	\$619,747.00
To: EMA Grants Fund	044-000-149	\$619,747.00

**2. Eudora Fire District – Resignation of Commissioner Joanne Albritton (8/5/09)**

**3. Grants**

**a. Sheriff's Department – Modified Highway Safety Grant (Reduction in Funds)**

**b. Application for Victim Witness Youth Court Grant Supervisor**

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Eugene C. Thach-----YES  
Supervisor Bill Russell-----YES  
Supervisor Allen Latimer-----YES  
Supervisor Tommy Lewis-----YES

**See Exhibit D**

**E. OLD BUSINESS**

**F. NEW BUSINESS**

**1. Budget Amendments**

Comptroller Tom Arnold presented three additional budget amendments to the amendments in the Board's exhibit package to be considered for approval today. Mr. Arnold said one of the additional amendments is actually a change to an amendment already in the exhibit package and explained the reason for the change. He said account number 044 was set up twice in error instead of one time. Mr. Arnold said account number 266-594 should be decreased by \$800 and added to number 606.

Supervisor Jessie Medlin asked how the Board will know if an amendment comes from ending cash. Supervisor Medlin said it would be helpful if Mr. Arnold could high-light those items. Mr. Arnold said he will start pointing those out to the Board.

Supervisor Allen Latimer asked if the amendment process will work in case of emergencies. County Administrator Michael Garriga said departments will have to plan for emergencies.

Supervisor Bill Russell asked what if a bill needs to be paid due to an emergency situation. Board Attorney Tony Nowak said that legally counties have 45 days in which to pay their bills. Supervisor Russell asked if a department will be able to buy what they need in case of emergencies. Mr. Garriga said, in case of an emergency, they have made a purchase and it is placed on the claims docket for the next meeting. Mr. Garriga said, once we have completed the budget discussions and the budget is approved, he will present a budget policy to the Board. The policy will include the budget amendment process. Mr. Garriga said both rating agencies have asked about the County's budget policy many times.

Supervisor Medlin said most budgets amendments come up during the last quarter of the fiscal year.

Supervisor Eugene Thach said the Board can always have an emergency meeting if necessary.

Supervisor Allen Latimer asked if an emergency line needs to be adopted in the budget. Supervisor Medlin said he is afraid that would be abused.

Supervisor Allen Latimer made the motion and Supervisor Jessie Medlin seconded the motion to approve the budget amendments as presented by the Comptroller and as described in exhibit F.1. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Eugene C. Thach-----YES  
Supervisor Bill Russell-----YES  
Supervisor Allen Latimer-----YES  
Supervisor Tommy Lewis-----YES

**See Exhibit F.1**

## 2. Budget Work Session

County Administrator Michael Garriga said in preparation for compiling the budget for FY 10, his office asked departments keep spending requests in line with the 2009 budget. He thanked the department heads and Comptroller Tom Arnold for meeting that request as well as their understanding and cooperation regarding the current economic situation. Mr. Garriga said it made any budget issues much easier to address.

Mr. Garriga presented the proposed FY 10 budget and said it does not include the grant funds because they were not available when it was printed. Mr. Garriga said that after the recommendations are made today, the final budget will include those recommendations as well as the grants funds. Mr. Garriga pointed out that the budget has the same millage as in the past five to six years. He said he thinks the general public will be complimentary toward the Board in regards to this budget. In 2004, the cash balance was approximately \$6 million. The cash balance has increased to \$15 million. Mr. Garriga said both rating agencies have applauded this Board for their fiscal management. He said the accumulation of money in the LO2 account has allowed the Board to pay off existing debt. He said there has been some growth. The County has not purchased emergency vehicles in six years. Mr. Garriga said County owes ambulances to the cities with the exception of Southaven. He said, in order to cut costs, the ambulances will be refurbished instead of replaced. New chassis will be bought for the existing ambulances under the proposed budget. Mr. Garriga said we need to plan to reserve money and rotate purchasing ambulances.

Supervisor Eugene Thach asked if there is an employee raise in the budget. Mr. Garriga said there is no employee raise included in the budget. Supervisor Thach said this will be the first year the Board has not provided raises for the employees. He said to prevent a tax increase this action was necessary. The Board hopes employee raises will be allowed in future budgets. Supervisor Thach said he appreciates Mr. Garriga and the department heads working with the Board to prevent a tax increase to the citizens.

Supervisor Bill Russell asked the beginning balance. Mr. Garriga responded, \$15 million is the beginning balance. He said, with the unexpected bigger purchases such as the radios for the Sheriff's department and this previously approved tax refund, we hope we can stay within that amount.

Supervisor Bill Russell said, if there is any money available, he would like to look at employee raises. He said he did not want to fatten the ending cash balance at the expense of the employees.

Supervisor Allen Latimer said he understands the views of both Supervisor Thach and Supervisor Russell. Every year the Board has given a nice employee raise as well as increased benefits. He said he feels like Supervisor Russell. If we do have greater than \$15 million there may be a possibility of some sort of increase for employees.

Supervisor Jessie Medlin said we need to remember that we gave a 4% raise last year and the work load in many of the departments is down due to the economy.

Mr. Garriga said he has a list of additional requests that are not listed in the proposed budget.

Supervisor Bill Russell said he has a list of about 15 questions and is comfortable asking the questions now but would be glad to approach the budget in any way that is pleasing to the Board.

Supervisor Thach said he would like to see Mr. Garriga's additional budget requests to be added. Mr. Garriga said there are some reductions in the self insured retention fund. He said there is an open position in the Accounting Department that was never filled and it will be eliminated.

Mr. Garriga said there is an increase in the Board Attorney from \$150,000 to \$175,000 annually.

Supervisor Russell said the attorney's fee is a projected amount and there is quite a bit left over from 2009. Supervisor Russell said, since we are still holding part of that amount, what will be different in FY 2010. Will there be more work for the attorney. Mr. Garriga said he feels there will be additional costs involving the jail expansion. There will be title work and a lot of up front paperwork.

The Board of Supervisors discussed specific line items as follows:

**Dept. 120 County Administrator**

The Board questioned the increase in the employee. Mr. Garriga said we had a part time position that went back to a full time position this year. He said originally it was a full time position but changed to part time for a short period of time. Mr. Garriga said the Board had approved the full time position earlier in the budget year.

**FUND 001-GENERAL FUND**

**NOTE: In many departments, you will see on the budgets that the workers compensation line item (467) has a tremendous percentage increase. This is due to the new method we use to pay the workers comp premiums. To avoid having to post the transactions to many different departments, we transfer the budgeted amounts to a separate workers compensation department and have to make just one posting for the general fund.**

**Dept. 100 – Board of Supervisors**

**There is no vehicle (915) budgeted in the 2010 year and the line items for travel (475 & 476) were reduced.**

**Dept. 106-County Insurance**

**570-The amount budgeted for the overall liability insurance was reduced since the cost has been less than we have budgeted the last few years.**

**Dept. 121-Accounting**

**404- We did not fill the empty slot we have in the 2009 budget, we have done the work with the existing staff.**

**Dept. 122-Purchasing**

**404-Eliminated position.  
533-The cost of the copy machine decreased.**

**Dept.130- Board Attorney**

**550-Increase in legal fees charged by board attorney.**

**Dept. 151 – Buildings & Grounds Maintenance**

**510-The utilities costs have increased due to new county buildings being opened and we have moved all the utilities cost of the jail complex to the 151 budget.**

Mr. Garriga said all utilities have to be paid from the same department if the Board goes forward with the Energy Performance contract. Comptroller said the utilities line item was moved from the Sheriff's budget to the Building and Grounds budget. He said the line item for utilities in 151 increased slightly due to anticipated increases.

**Dept. 157 County Wide Telephone**

Mr. Arnold said telephone bills have been higher than normal.

**Dept. 573**

Supervisor Allen Latimer said the election workers fees increased \$12,000. Mr. Arnold said that amount was based on the number of elections that will be held in the County.

**Dept. 160 – Chancery Court**

**523-This is for new court file folders, to be bought in bulk to save the county money and this supply should last about four years.**

**562-Increased use of the special master in certain cases.**

**563-This is a new position requested by Judge Lynchard to handle various matters.**

Mr. Garriga said a Guardian Ad Litem was added in Chancery Court to represent the children.

Supervisor Allen Latimer asked if the County can receive a reimbursement for the fees from the parents. Mr. Garriga said that may be possible in some cases.

**Dept.162 – County Court**

The bulk of this increase is due to the first full year that Judge Wilson and her court reporter are charged to this budget. In the 2009 year we only had a partial year for the salaries since they took office after the 2009 fiscal year had started and we pro-rated the salaries for nine months.

**Dept. 163 – Juvenile Court**

439-Added a new intake officer.

445-The clerk's statutory fees have increased.

516-We are contracting with a law firm to serve as the prosecutor, was in line item 559.

533-This is for the rental of ankle bracelets to monitor defendants.

559-This was the line item for the law firm serving as prosecutor.

**Dept. 165 – Lunacy Court**

562-The special master has been used much more extensively.

Mr. Garriga said there is a there have been more lunacy cases and the budget has increased.

Supervisor Jessie Medlin said if we get another hospital, there will probably be even more cases.

**Dept. 167 – Coroner**

475-The amount of mileage charged has increased to an increase in inquests.

490-491-The coroner's fees have increased due to an increase in inquests.

567-The fee for autopsies has increased and the number of autopsies has increased.

**Dept. 177 – JAG Grant**

The 2010 JAG Grant will be in a separate fund.  
he grant is eliminated.

**Dept. 179-Circuit Court Reporters**

The estimated cost for transcripts has decreased.

**Dept. 180 – Election Commissioners**

Most line items decreased for 2010 because there are not as many elections schedules as there was in 2009.

Mr. Garriga said the Election Commissioners requested new voting machines. Mr. Garriga told them this might not be the best year for such an expense.

**Dept 200-Sheriff Administration**

924-This is for computers for the patrol cars.

**Dept. 201-Aviation**

We deleted the utilities cost and the rent for the new building, which will be paid out of the buildings and grounds budget.

**Dept. 202-Patrol/Law Enforcement**

The Board discussed the overall increase in this budget. Supervisor Medlin asked if all of these officers work in the schools in the unincorporated county. Mr. Arnold said he did not know.

The bulk of the increase is for seven additional new officers as well as the cost of the narcotics officers who used to be paid out of department 227 that will now be paid out of department 202.

**Dept. 204-JABG Grant**

Eliminated for the 2010 year.

**Dept. 205-Sheriff Seized Funds**

This will be in a separate fund for 2010.

**Dept. 220-Custody of Prisoners**

510,643-The utilities and the hardware supplies will be paid out of the buildings and grounds budget in 2010.

**Dept. 227-Sheriff Narcotics**

This department has been eliminated and these officers and staff will be paid out of department 202 in 2010.

Mr. Garriga reminded the Board that Metro Narcotics Division that was funded by the grant no longer exists and those employees are now under the Sheriff’s Department.

**Dept. 240-Ambulance Service**

915-Includes funding for the refurbishing of several ambulances to remain compliant with our inter-local agreements.

**Dept. 243-Juvenile Drug Court**

The costs have increased but the grant has increased also, so the county will be reimbursed for the costs of this program.

**Dept. 244 – Adult Drug Court**

The costs have increased but the grant has increased also, so the county will be reimbursed for the costs of this program.

**Dept 331-Soil Mapping**

This department has been eliminated as there is no work being done on this project any more.

Mr. Garriga said we never paid for soil mapping services. He said we paid their employee but never paid money toward the study, but their employee was here working. Mr. Garriga said he talked to NRCS and they said we may no receive an invoice for the study.

**Depts. 450, 458 and 460**

Mr. Garriga said these departments have been added back to the budget.

Mr. Arnold explained that were getting reimbursed from the state for one of the maintenance employees at 40% through the Child Support budget. Now it is 50% through the Economic Assistance. He said that line item was moved to get the higher reimbursement.

Mr. Arnold reminded the Board of Supervisors that all of the expenses in the budget, the County receives about \$75,000 back from state.

**Depts. 531-535 District Parks**

The 2010 budgets are at a flat \$30,000 each. The 2009 budgets include carry-over funds from the 2008 fiscal year.

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to carry over the ending cash balances on the district park funds. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Eugene C. Thach-----YES  
Supervisor Bill Russell-----YES  
Supervisor Allen Latimer-----YES  
Supervisor Tommy Lewis-----YES

**Dept. 676 – Other Economic Development**

762-This is the allocation approved by the board for a Head Start bus.

Mr. Garriga said a new local and private agreement will have to be approved before this money can be transferred. Supervisor Latimer asked if Headstart needs a new bus. Mr. Garriga said

they appeared before the Board earlier this year to make the request. Supervisor Medlin said he thought the Board had already voted to send in the local and private agreement. He asked to take a closer look at that issue to make sure we do not need the money elsewhere.

**Dept. 800 – Debt Service**

The payments for the 2007 refunding bonds have been paid out of the general fund in previous years. Starting with the 2010 fiscal year, the bonds will be paid from a separate debt service fund with a separate tax levy.

**FUND 002-GENERAL COUNTY**

The beginning cash amount is down because we are going to pay off one of the existing bond issues out of this fund to enable us to issue the new debt with no tax increase.

**FUND 105-SOLID WASTE**

341-582 The increase is for an increase in the BFI contract.  
341-635 For additional dirt to cover the rubbish.  
341-900 For the purchase of additional land for the rubbish pit.

**FUNDS 370-383**

These funds are pending the determination of the remaining funds in funds 380-383 and the projects that are assigned for fund 370.

**Dept. 380 – EMS**

Emergency Services Director Bobby Storey said he has two fire departments that are out of space in county owned buildings. He said ACI and Love need more space. Mr. Storey they need extra quarters and a bay. He said both buildings were built in the 1970's and need electrical wiring. He said if the Board has any extra money to please consider the two fire departments.

Supervisor Tommy Lewis asked if the County could build the shell and the fire department to complete the building. Mr. Storey said that is a possibility.

Supervisor Medlin said they need improvements too. Mr. Storey said they need inside renovations.

Supervisor Lewis asked Mr. Storey to get an estimate for all of the renovations.

Mr. Garriga said a group of people approached him regarding EMS occupying an industrial building in Hernando. He said Marvin Johnson has a schematic and the cost will be about \$80,000. Mr. Garriga said they have about \$47,000. the Board of Supervisors discussed the item and that it may not be wise to put money into property that does not belong to the County.

Supervisor Tommy Lewis said that Mr. Storey said if you give the fire departments the money allocated for the upgrades, they could do the necessary work themselves for \$100,000.

**Dept. 262 Constables**

Mr. Arnold said the increase in this department is because there is an increase to the defendants. He said the extra fees are paid by the defendants therefore the revenues increased by the same \$20,000 that the expenses increased. He said the County only pays for lost costs in 001-268-578.

**Dept. 441-704 DeSoto County Health Dept.**

Mr. Garriga said this has been reduced back to last year's allocation..

The Board of Supervisors discussed the ending cash balance.

The Board reviewed other requests. Mr. Garriga listed the requests as follows:

- 1.) Justice Court exterior renovations      \$225,000

- |   |           |
|---|-----------|
| 2.) I-69 Corridor Study   | \$150,000 |
| 3.) Software Upgrade (long term)                                | \$ 50,000 |
| 4.) District Attorney-additional<br>Victims witness coordinator | \$ 35,000 |

Mr. Garriga explained that he would like to start a fund for software upgrades to increase the potential for record keeping.

Supervisor Latimer said all of those are worthy projects.

Supervisor Russell said he would like to look at the library budget. He said they do a good job and the library is always crowded. Supervisor said they are asking for an additional \$39,000.

Supervisor Medlin said he thought Mr. Garriga said we have \$1.5 million in additional revenue. He asked where the reductions in the budget come together to have this much money left over.

Mr. Arnold said the debt service came out of the general fund. He said that was a great reduction and one mill came from the general fund for the debt service.

Supervisor Medlin deduced there was actually a \$1million growth in the general fund. He asked where the payments from the \$16 million come from. Mr. Garriga said it is budgeted for debt service.

Mr. Arnold showed the Board fund 225-999 and said there is where we pay the debt service. He said all the department heads cooperated and worked very well with the budget process.

Supervisor Medlin said one reason the budget is about the same is because the pay raises are not included.

Supervisor Russell said he would still like for Mr. Garriga and Mr. Arnold to work on the cost of a pay raise for hourly employees.

Mr. Garriga said, in the past, the Board has been very generous and given good raises to the employees. Perhaps the Board wants to consider a compensation study. The Board discussed the ability of the Board to regulate salaries for elected officials' employees.

Supervisor Russell said he is for doing something but he wants to be sure awareness of the department heads and elected heads is part of the process. Mr. Garriga said if the County makes arbitrary decisions for salaries, we are more open to personnel issues.

Supervisor Russell said he would rather start with the committee and work with the elected officials and department heads. He said he would like to look at it. He thinks the only thing the Board can do now is to set a scale for increases. Supervisor Russell suggested anyone making over a certain amount will not be considered for a raise.

Mr. Arnold said the municipal revenue at the jail has been moved to another fund. Mr. Garriga said he would like to continue to let that fund build up to be used for expenditures related to the upkeep of the new jail. He said this would be a source of revenue to maintain the facility.

## **G. EXECUTIVE SESSION**

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

## **H. OTHER ISSUES**

### **1. Veterans' Service Officer**

Supervisor Bill Russell asked that the Veteran's Service Officer opening be put on the September 8<sup>th</sup> agenda.

**2. Starlanding Landing Corridor - MDOT MOU**

Supervisor Bill Russell said he received information on the MDOT memorandum of understanding. Board Attorney Tony Nowak said he has drafts of the agreement but was waiting to present it on the September 8<sup>th</sup> agenda after the budget is finalized.

**3. Home Grant Refund**

Comptroller Tom Arnold said the County received \$1,177.05 for a Home Grant refund. He said MDA paid it to a title company and they did not use that money toward the homebuyer. The money has been returned to the County and MDA wants the money back instead of the County holding it for the next recipient.

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to forward the check in the amount of \$1,177.05 to MDA as reimbursement to the Home Grant Program. Mr. Arnold said he will start pointing those out to the Board.

**See Exhibit H.3**

**4. Erroneous Tax Assessment**

County Appraiser Bill Bryant said the Tax Assessor has an erroneous assessment on the 2007 tax rolls. He said there are three parcels of property that are a fee in lieu of taxes. Two of those parcels were double assessed. He said the owners paid the tax on the fee in lieu agreement. Mr. Bryant said the parcels were sold at the tax sale.

Supervisor Bill Russell asked if interest is paid on the tax sale money. Mr. Bryant said no, we do not.

Supervisor Eugene Thach asked how this error occurred. Mr. Bryant said this is a very unusual case. He said a fee in lieu is handled separately from the other assessments. Mr. Bryant said in 2007 they tried to find a better way to handle them and put them on the computer. He said they will handle them manually in the future.

Supervisor Allen Latimer asked if the money will come from ending cash. Mr. Garriga said it will be spread throughout the County to the schools and cities and other assessments as appropriate. He said the money will come from the tax sale proceeds.

Comptroller Tom Arnold said this issue will not affect beginning cash.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to reduce the 2007 double assessment and to authorize the Clerk to write the check for the refund from the tax sale. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Eugene C. Thach-----YES  
Supervisor Bill Russell-----YES  
Supervisor Allen Latimer-----YES  
Supervisor Tommy Lewis-----YES

**See Exhibit H.4**

**5. EMS**

Emergency Services Director presented posters that were provided by the Department of Health with information regarding the H1N1 Flu. He said the posters give tips on how to prevent contacting the H1N1 flu and would like approval to place the posters in County buildings.

Supervisor Allen Latimer made the motion and Supervisor Eugene Thach seconded the motion to approve putting the H1N1 prevention posters in County buildings. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----ABSENT  
Supervisor Eugene C. Thach-----YES  
Supervisor Bill Russell-----YES  
Supervisor Allen Latimer-----YES  
Supervisor Tommy Lewis-----YES

**6. Glenn Davidson**

Supervisor Tommy Lewis said recognized Glenn Davidson and said the County is celebrating Glenn’s birthday today. Supervisor Lewis said that Glenn has been with the County for many years and does a very important job as well as an outstanding job. Supervisor Lewis said on behalf of the County, he wanted to wish Glenn a very Happy Birthday and a big thank you for all he does for DeSoto County.

Vanessa Lynchard said Glenn is very valuable to every department and delivers important documents throughout the courthouse and administration buildings and we never have to worry about receiving what we need. Vanessa said that Glenn arrives to work everyday with a happy smile and is friendly to all of the employees. She said, in addition to Glenn being an outstanding County employee, he is a great boost to the employee morale.

Supervisor Allen Latimer made the motion and Supervisor Tommy Lewis seconded the motion to adjourn the meeting until September 8, 2009, at 9:00 a.m. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----ABSENT  
Supervisor Eugene C. Thach-----YES  
Supervisor Bill Russell-----YES  
Supervisor Allen Latimer-----YES  
Supervisor Tommy Lewis-----YES

THIS the 24<sup>th</sup> day of August, 2009, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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Tommy Lewis, President  
DeSoto County Board of Supervisors