

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

**BILL RUSSELL, PRESIDENT 2010 PRESIDING**

**August 20, 2010**

**A. CALL TO ORDER**

The August 20, 2010, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Bill Russell, Board President.

Sheriff Bill Rasco 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 on the Consent Agenda.

Supervisor Jessie Medlin asked if the millage for Horn Lake Creek had changed. Board Attorney Tony Nowak said there has not been an increase for many years.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve the Consent Agenda as follows:

- 1. Tax Assessor's Office: Petition for Reduction of Assessment (various)**
- 2. Board Attorney**
  - a. Approve Interlocal Agreement and Supporting Resolution with City of Horn Lake for the Collection of Taxes**
  - b. Approve Interlocal Agreement for Fire Protection Services with the Cities**
  - c. Resolution for Emergency Communication (E-911) Building Improvements**
  - d. Order Setting Tax Levy for Horn Lake Creek Drainage District**

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. FY 2011 Budget Review**

County Administrator Michael Garriga said the first draft of the budget was presented to the Board of Supervisors on Monday. He said the final numbers are up for consideration for fiscal year 2011. Mr. Garriga said, if there are any changes, the Board can convey those and the changes would be made.

Mr. Garriga introduced Catherine Nathan, Director of the First Regional Library. Ms. Nathan thanked the Board of Supervisors for their past support. Ms. Nathan asked the board to consider the same allocation as last year. She said they recognize the challenges the Board is facing in funding the county. She said they are tightening their belts tighter and wanted to thank the Board for funding the allocation in the draft budget.

Supervisor Jessie Medlin asked what the allocation for the library was two years ago. Mr. Arnold said he believed it was up. Supervisor Medlin asked if there was a one time increase put into that budget. Mr. Garriga said no.

Ms. Nathan asked the Board of Supervisors to strongly consider the County Administrator's recommendation to provide funding at the FY 2010 rate.

Supervisor Bill Russell and the other Supervisors thanked Ms. Nathan for the work done by the First Regional Library and for its presence in DeSoto County. The opportunities provided by the library are vital.

Supervisor Jessie Medlin asked the allocation for the library two years ago. Mr. Arnold said he believes the allocation increased two years ago. Supervisor Medlin asked if there were any one time expenses in that allocation. Mr. Garriga said no. Mr. Garriga and comptroller Tom Arnold presented the millage levy proposal for the Board of Supervisors review.

Mr. Garriga said the proposed budget has a 3% pay increase for employees. Supervisor Eugene Thach asked if county growth handles that or were there cuts in other areas to accommodate the 3% increase. Mr. Garriga said we cut back over \$600,000 from the requests that were received. He said we were able to move some millage from the bridge fund to the general fund.

Supervisor Bill Russell said he appreciates Mr. Garriga combining telephones and computer equipment into one line and consolidating it into the IT Department budget. Mr. Garriga said since the first draft of the budget was prepared the Sheriff has elected to use the IT Department for computer support. Supervisor Russell asked if their money will be moved from the Sheriff's budget into the IT Department line item. Mr. Garriga said the Sheriff has always used the IT Department. He said it is possible to use their budgeted money in IT. Supervisor Medlin asked if the departments will be able to see what they are spending when everything is consolidated into IT. Mr. Garriga said yes. The departments receive a monthly report that shows the budget allocation and how much has been spent. Supervisor Medlin said worker's compensation was up tremendously in some departments. Comptroller Tom Arnold said that money was moved from one department to another throughout the budget year as that bill was due. He said the total worker's comp did not change. Mr. Arnold said in order to achieve simplicity the money was moved from each department into one account for payment as it was needed throughout the year.

Supervisor Allen Latimer said the change in millage for the bridge fund needs to be discussed. He said he knows there was talk about reducing millage for the Road Department. He asked if

the county is committed to the bridge on I-69. Mr. Garriga said we are committed to one of them which totals about \$2.1 to \$2.3 million. Supervisor Latimer asked if the Board is committed to Holly Springs Road. He asked the total of that commitment. Mr. Garriga said that project is committed to approximately \$15 million. The county's share will be around \$3 million. Supervisor Latimer said basically \$5.3 million out of the bridge fund money is committed. That would leave \$4.7 million in the fund. Supervisor Latimer asked why we are taking millage out of the Road Department fund. Mr. Garriga said there is a lot of cash balance in that account in excess of the county's commitments. Mr. Garriga said this is an opportunity to move money to balance our budget.

Supervisor Latimer said it looks like we are robbing Peter to pay Paul. Mr. Garriga said by moving the money the Board is accessing money that was levied but not spent. Supervisor Latimer asked the Road Manager if he had in mind to build up that fund to pay off those projects. Road Manager Russell Dorris said yes, plus Starlanding corridor at \$2 million. Supervisor Latimer said there was a purpose in accumulating that money. He said he is concerned about future projects if the money is taken from the account.

Supervisor Medlin said he thinks, since we are not using that money, the Board should not continue with the same amount of tax levy and give that break to the taxpayers. He said in his opinion, the Board's job is to be responsible to the taxpayers. He reminded the Board that earlier in the year, the Board turned down an opportunity to build a bridge on Red Banks Road because there was not enough money. Supervisor Medlin said he acknowledges that we do not need any of those bridges today but we will in the future and they will cost taxpayers more much later. He said neither Holly Springs Road nor the other roads will be built tomorrow.

Supervisor Latimer said if we can afford too, he is for giving money back to the taxpayers too. He just does not want to make the levy changes to the millage not knowing what will happen in the future.

Supervisor Medlin said it is very likely that the money that is shifted will have to stay that way. Supervisor Latimer said obviously there was a need for the millage that was put in the Road Department at one time. Mr. Garriga said there is a significant balance for this year and next year in the Road Department after the shift.

Road Manager Russell Dorris said the Road Department cut back on equipment purchases, but that will catch up with us at some point.

Supervisor Thach said when we started working on the budget process we instructed the County Administrator that we did not want to raise taxes. He has worked on that and he knows that Mr. Dorris wants the money in his budget to stay there. This Board makes the decision on whether to move the millage or not. He said none of the members want a tax increase and that is how the County Administrator worked it out.

Supervisor Russell said he understands that the Board may not be able to do some of the projects that they would like to do. He said Mr. Dorris indicated to him that he can live with the millage shift. Supervisor Russell said he does not want to jeopardize a commitment and Mr. Dorris told him the equipment is getting older. We are asking everyone to tighten their belts and so must the Board. Supervisor Russell said he has confidence in our management and next year we could recover some from the economy. If not, we may have to tighten our belts more.

Mr. Garriga said the Legislature changed the requirement that the general fund money must stay in the fund. The bridge money must stay in the bridge fund. It used to be the same way with the general fund, but the Legislature changed that to say that general fund money can be shifted to road or bridge fund if necessary.

Supervisor Latimer said he appreciated Mr. Garriga's comments, but if we do not have it in the general fund, how can we move it. He said he has a problem with taking money out of the bridge fund for this budget. He said he would like to see money ear marked for the obligations mentioned. Mr. Garriga said these obligations are ear marked in the budget. Supervisor Latimer said the Board needs to decide on whether to shift the millage now before going over the line items in the budget. Supervisor Russell said the Board needs to see what is budgeted first before going over the budget.

The Board of Supervisors elected to review the budget. Mr. Garriga and Mr. Arnold presented an overview of the budget by fund and department. They also presented a line item budget with details and they presented a list of budget highlights to show major changes in the budget for the Board of Supervisors review.

Supervisor Russell said regarding 001-531 through 535, he said he would like for the Board to consider activating a park commission and instruct where the money should be spent. He said he thinks the money could be better used from the county's perspective rather than by district. Supervisor Thach said he has had no problems with the current system.

Supervisor Latimer asked how many new employees are in the budget. Mr. Garriga said the number is the same as budgeted today. Mr. Garriga said the general fund budget was increased due to the following changes:

100-added County Administrator's salary items were moved into department 100.

102-Circuit Clerk-increased fees, retirement - Mr. Garriga said we are mandated to pay retirement on the Circuit Clerk on the entire allowable salary rather than the amount she is drawing due to her retirement.

108-Transportation Planning-increase in state transportation planning costs - Mr. Arnold said there was an increase in state transportation costs. The cities will pay their part of this budget.

The Board of Supervisors discussed that raises are figured at 3% by department and not 3% per person. They said that Department Heads should be encouraged to disburse percentage allotment according to performance within the department.

109-GIS-removed mapping costs.

120-Administrative Services and Procurement-Combined county-wide telephone, grants, Procurement Depts.

122-Office of Procurement-Moved to Administrative (120)

125-Grants Administration-Moved to Administrative (120)

151-Facilities Management-Lower utility costs

152-Information Technology-Consolidated computer supplies & equipment

154-Veterans Service Officer-start up costs for last year

157-County-wide Telephone Service-Moved to Administrative (120) & IT

161-Circuit Court-Increased fees and juror costs

164-Youth Court Administrator-Removed county court admin. costs

165-Lunacy Court-Lower special master costs

168-District Attorney-Added supplement for investigation

170-Public Defender-Added new public defender

173-Victim Witness-Supplement for DA added

179-Circuit Court Reporters-Two new reporters added, more transcripts done

180-Election Commissioners-For election costs in 2011- Mr. Garriga said we did not add the extra five days into the Election Commissioner's budget as requested.

Supervisor Medlin said he was previously for that but it looks like they did not use the amount allotted in the past.

181-For Election costs in 2011 (554) – Supervisor Latimer questioned a consulting line item. Mr. Garriga said that is for getting the word out about redistricting and that is the maximum allowed by statute.

200-Sheriff’s Department-Reduction in staff, computers in 2010

201-Aviation Department-Three deputies moved from department 202

202-Patrol/Law Enforcement-Raises, increase in gasoline, workers comp

210-Highway Safety/DUI Grant-New officer

211-Occupant Protection Grant-New grant

220-Custody of Prisoners & Jail-New personnel

222-Prisoners Medical Expense-Increase medical fees and supply costs

223-Juvenile Detention-Raises, benefits increased

240-County ambulance-More ambulances purchased in 2010

241-EMS Rescue-Merged into 260

244-Adult Drug Court-Increased grant funds available

452-Social Services-Supervisor Jessie Medlin questioned line item 452. Mr. Garriga explained there is an opportunity for transportation for the handicapped and elderly. He said it involves creating transit authority. Mr. Garriga said it would be about a year from now to make this a reality. He said Region IV has purchased land in Olive Branch to house mental patients and they are allocating an allowance in this budget. Mr. Garriga said the entire 452 budget was very difficult to project because of uncertainties in the program.

260-Emergency Management-Includes 241 from prior year

262-Constables-Increased constable fees paid

461-Impact Missions, Inc.-Additional funds allocated in 2010, reduced 2011

467-Worker’s Comp-Adjusted each quarter

501-Self-Funded Health Insurance-Mr. Garriga said that the county self-funded health insurance is struggling. Supervisor Latimer asked why revenues are up in this department. The Board of Supervisors discussed self-funded insurance program and the current trend is depleting our balance to a dangerous level. They discussed the future of the county health insurance and options available to remedy decreasing fund balance in this account. The Board of Supervisors agreed that they are, and have always been, committed to protecting county employees’ benefits, but the reality of the depleting balance must be addressed.

531-District One Parks (JM)-2010 budgets had carry-over amounts

533-District Three Park Funds (BR)-2010 budgets had carry-over amounts

534-District Four Park Funds (AL)-2010 budgets had carry-over amounts

535-District Five Park Funds (TL)-2010 budgets had carry-over amounts

632-Delta Branch Experiment Station-Deleted for 2011

660-DeSoto Council-Increase in allocation

675-Advertising County Resources-Mr. Garriga said the museum asked the Board to consider adding the museum director into the county payroll system as a county employee. Mr. Garriga said he did not add that to the budget. Mr. Garriga said the museum says that is the way those positions are handled in some other places according to museum representatives.

800-Other notes-Debt for energy project

900-Interfund transfers-Additional transfers required for grants, courts

The Board of Supervisors thanked Mr. Arnold and Mr. Garriga for their work on the preparing the budget and said they will take the recommendations under advisement.

**See Exhibit F.1**

**2. Recycling/Solid Waste Referendum**

Supervisor Bill Russell said he has received calls from people concerned that there is no recycling in the unincorporated county. Supervisor Russell said this may be a good time for a referendum on recycling. He said according to Board Attorney Tony Nowak, there is time add a referendum to the ballot. We need 2500 citizens who want recycling for this to be feasible. He said another issue should be addressed on the referendum fees for pick up. The Board discussed that many people do not participate in garbage pick up in the county. They said some people have legitimate alternate options.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the County Administrator meet with the Election Commissioners to discuss a referendum for:

- 1.) Voluntary recycling
- 2.) Mandatory fees for garbage pick up
- 3.) Determine costs and the feasibility of implementing a referendum in the unincorporated county only

The motion passed by a vote as follows:

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

**3. Hernando Saddle Club**

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Road Department to haul eight loads of donated sand to the Hernando Civic Center, with the contribution being considered an “in-kind” contribution under the local and private allowing donations to be the Hernando Civic Center. The motion passed by a vote as follows:

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

**H. OTHER ISSUES**

**1. Sheriff’s Department: Donation of Vehicles**

At the recommendation of Sheriff Bill Rasco, Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to declare the following vehicles as surplus and

to approve the donation of the vehicles on an inter-governmental transfer with two vehicle going to Walls, two vehicles going to Crenshaw and three vehicles going to Como:

2004 Ford Crown Vic	2FAFP71W74X144837	(oldSO-34)
2001 Ford Crown Vic	2FAFP71W74X153934	(oldSO-68)
2000 Ford Crown Vic	2FAFP71W74X146226	(oldSO-20)
2002 Ford Crown Vic	2FAFP71W74X143431	(oldSO-72)
2001 Ford Crown Vic	2FAFP71W74X129209	(oldSO-67)
2001 Ford Crown Vic	2FAFP71W74X126107	(oldSO-74)
2004 Ford Crown Vic	2FAFP71W74X144836	(oldSO-33)

The motion passed by a vote as follows:

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

**See Exhibit H.1**

**2. Grants: Parks**

Supervisor Allen Latimer made the motion and Supervisor Bill Russell seconded the motion to authorize the County Administrator’s office to proceed with a grant application for the Eudora Park. The motion passed by a vote as follows:

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

**3. Dean Road Property**

Board Attorney Tony Nowak said at the closing for the house on Dean Road, the property owners asked if they could continue to live in the house for sixty days after the closing. Mr. Nowak said it can be legally allowed, but he recommended they continue insurance on the property.

Supervisor Allen Latimer made the motion and Supervisor Jessie Medlin seconded the motion to allow the Daughtrys’ to stay in the house on Dean Road for sixty days after the closing of the house contingent on holding the county harmless if there are any problems on the property if any persons get hurt on the property, and provided the Daughtrys’ provide the necessary and appropriate liability insurance. The motion passed by a vote as follows:

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

**4. Board of Supervisors-Travel**

Supervisor Tommy Lewis made the motion and Supervisor Allen Latimer seconded the motion to authorize the Board of Supervisors to travel to the Fall Workshop in Meridian for the MAS Meeting. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----ABSENT

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

**5. Appointments: Region IV Mental Health Board**

Supervisor Bill Russell said we need to appoint a member to the Region IV Mental Health Board and recommended County Administrator Michael Garriga.

Supervisor Jessie Medlin questioned that Pat Sylvester was previously our appointee to District 2.

After discussing the issue and the transition between Region II and Region IV, Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to appoint County Administrator Michael Garriga as the appointee to the Region IV Mental Health Board. The motion passed by a vote as follows:

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

Supervisor Eugene Allen Latimer the motion and Supervisor Tommy Lewis seconded the motion to recess the meeting until August 26, 2010, at 9:00 a.m. The motion passed by a vote as follows:

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

THIS the 20th day of August, 2010, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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Bill Russell, President  
DeSoto County Board of Supervisors