

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

ALLEN LATIMER, PRESIDENT 2011 PRESIDING

February 17, 2011

A. CALL TO ORDER

The February 17, 2011 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Allen Latimer, 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

Supervisor Eugene Thach presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. OLD BUSINESS

1. DeSoto County Redistricting Plan

Chris Watson of Bridge and Watson appeared before the Board of Supervisors to discuss the plan for redistricting DeSoto County. Mr. Watson explained the history of the redistricting process. He mentioned the public meetings that were held and that we got the census data two weeks ago. He said that allowed him to produce some plans. Alternate 1 was the plan that least deviated from the current districts. Discussion lead to two other alternatives and they have been in front of the public. Following the last meeting, other members of his firm had an opportunity to meet with elected officials and discuss the different plans and changes they would like to see in the plan. They took all of those comments and produced an alternate 4 plan. He said they may not have included everything they heard, but they did include many of the comments that were expressed in the interviews. He said they then met with different constituency groups. That led to a few changes as well. For example, a Nesbit polling place turned out to be in a different precinct. They took the additional comments and revised the alternate 4 plan in such a way it didn’t affect the numbers adversely. Mr. Watson said in his opinion, alternate 4 is the best plan we have come up with yet. He presented copies of alternate 4.

Supervisor Allen Latimer said he welcomed Supervisor Eugene Thach back to the meeting so he can give his input into the matter. He asked all present to raise their hands if they wish to make

comments.

Mr. Watson then highlighted the changes proposed alternate plan 4 makes to the current districts, as follows:

Mr. Watson said District 1 is pretty much the same as it exists today. The only difference is from Craft Road to the west moves from District 1 to District 2.

District 2 absorbs the territory he just mentioned and loses territory north of Rasco Road and also west of Greenbrook Parkway. District 2 grows west to I-55.

District 3 changes from the east, losing a voter precinct adjacent to Horn Lake Road. It loses some area and gains others to make the district compliant.

District 4 loses a portion up to Hwy. 304. That portion would go to District 5. It loses a portion between I-69 that moves to District 5. It picks up a small area near Church Road and Elmore Road.

District 5 picks up the District 4 territory just mentioned and loses some territory to District 2.

Mr. Watson said all of the changes help to meet the population distributions we must keep for constitutionality requirements as well as the items reviewed by the Department of Justice. It also keeps people in office from running against each other. We keep it workable in terms of re-drawing the precinct. Numerically, regarding one man one vote issues and maximum deviation restrictions the plan works without a problem. This plan has the highest percentage of deviation of the plans, but it is still within the accepted guidelines. Mr. Watson also explained that it satisfies the requirements and factors of section 5 of the Voting Rights Act of 1965.

Supervisor Bill Russell asked if we have demographic analysis for alternate 4. Mr. Wilson said yes and handed out those numbers. Supervisor Russell said we have not had a chance to discuss where this meeting will take us today. He said we need to try to get a plan that is close enough to meet everyone's interest so we move into a form of public hearing that will get the county before the DOJ.

Mr. Watson said regardless of what the Senate does, we have a lot of work to do before we get ready for an election.

Supervisor Latimer asked how many precincts are impacted in alternate 4. Mr. Watson responded five precincts are impacted.

Supervisor Jessie Medlin said alternate 4 looks satisfactory to him.

Supervisor Bill Russell said the redistricting process has been an ordeal, but it has been orderly. He said he thinks we can take the split precincts out of the equation. The Election Commission says they can fix any problems with split precincts by changing polling places. Supervisor Russell said right now he is happy with alternate 4.

Supervisor Tommy Lewis said he does not have any comments. He said he is ready to hear from the public.

Supervisor Allen Latimer said he does not like alternate 4. He said there is nothing wrong with the meetings that were held. He said he would be in favor of alternates 1 or 2. He said a lot of accommodations were made for alternate 4 and alternates 1 and 2 were clean.

Supervisor Latimer asked if anyone in the audience would like to speak.

Don Daniels thanked the Board of Supervisors for the opportunity to speak on redistricting. He said he is the founder of the Tea Party Mississippi Association and chairman of the National Tea Party of America. He noted that ultimately the Federal Judge has to approve the plan. Mr. Watson said that is not correct. He said it does not go to court unless there is a lawsuit raised.

The DOJ will approve it or not approve it.

Mr. Daniels said what this particular body does is being looked at all across the state. He said it is being looked at from a national point of view. He said it is a hard decision to make. He said DeSoto County has made that decision. He said he does not think the alternate 4 redistricting plan will please everyone, but it will please most people. He said from the 20,000 people he represents from the Tea Party, they favor alternate 4. He said from the state's point of view they see we are doing the best we can with this plan. Mr. Daniels said it does not solve all of the problems but it solves most of the problems. He said he is now part owner of a national magazine. He said it features Mississippi and DeSoto County. He said what we do will be reflected nationally. Mr. Daniels said he tried to show that Mississippi has its' act together in the current article. He said we don't need all of the mandates of the federal government. He said this is a fair evaluation and he gives the plan an A +. He said the Board of Supervisors will receive a complimentary copy of his magazine. He said we now open the door to talk to the federal government and Mississippi to say we know what we are doing. He said it is time to move on and for us to be a leader in the field of voter's rights and people's rights.

Supervisor Latimer asked if anyone had questions for Mr. Daniels.

Stan Quarles handed out information on joining the Tea Party.

Mike Smith of Southaven, Mississippi, said he is a member of the DeSoto County Redistricting Committee. He said he would have to concur with Mr. Daniels that the plan meets muster. He said their concerns were met. He said demographics looked well balanced in the plan. He said as a citizen of DeSoto County he thinks this plan pleases a majority of the people. It is a well thought out plan and he whole heartedly supports the plan. He said, as a citizen of this county, he supports alternate 4.

Supervisor Latimer asked if anyone has questions for Mr. Smith. No one came forward.

Supervisor Latimer asked what accommodations were made for the Redistricting Committee. Mr. Watson said the accommodations were to look at communities of interest in a way to better give minorities a chance to elect candidates of their choice. Supervisor Latimer said he thought we were all Americans. He asked Mr. Watson if one of the considerations was creating a minority district. Mr. Watson said yes and no.

Tommy Bennett addressed the Board regarding redistricting. He said he is running for constable and does not have a dog in this fight. He said the redistricting plan now changes his district. He said none of the plans affect the Board of Supervisors. He said the Board members know where their stronghold was. He does not think an incumbent should have anything to do with the plan. He said the Board of Supervisors should not have had anything to do with drawing boundaries. No elected official should have been part of the plan. Mr. Bennett said he thinks this is backdoor politics. Mr. Bennett said this Board of Supervisors is self serving. He said years ago there was a big push to change to the Republican Party and everyone jumped on board so they could win. He said he is a Republican. He called the Board career politicians. He asked if the Board had ever played UNO. He said the Board plays this redistricting process to where they always pick the red cards. He said as far as the drawing of lines, the Board waited until they got the census data to start working on the project.

Supervisor Latimer agreed that since the County got the census data back at a time that is making it difficult to achieve redistricting for the upcoming election but the Board is trying to work with the qualifying deadline of March 1st. He said the census input is the law. Supervisor Latimer said he appreciates Mr. Bennett's passion. He said the reason the plan was rushed was because they had to wait on the census data before drawing the boundaries.

Mr. Bennett asked why the Board did not divide the county by mileage rather than by population. He said the Board is doing it by vote. Supervisor Latimer said that is the law.

Mr. Bennett said money is power and wealth is wealth. A Justice Court Judge makes about \$40,000 per year. One constable in the county averages making about \$9,000 per month. He

said wealth or power, what is the difference.

Mr. Daniels said this Board has impeccable character and they represent their districts better than any Board in the past has ever done. He said he takes offense that the Board is self serving. He said the Board has paid an outside firm to look at the demographics and make recommendations.

Ron Taylor of Southaven asked if the plan meets the requirements of one man one vote. Mr. Watson said yes. This is a plan, in his opinion, that meets all constitution and DOJ requirements. Mr. Taylor clarified that the plan was based on the census figures. Mr. Watson said they were. Mr. Taylor said that is what the State of Mississippi will do and that meets our requirements.

Kelly Jacobs said she is the chair person for the DeSoto County Redistricting Committee. She said their committee really does like alternate 4. She said the Redistricting Committee gave the county a draft map last year. She said they went to many training seminars to learn how to make a map that complied with the law. She said we like alternate 4 better than the one they submitted. She said they are going to issue a letter of support to the DOJ from the Redistricting Committee. Ms. Jacobs said as she came to the meeting to hear the redistricting agenda items she heard other things discussed and she was impressed with the Board's passion to serve DeSoto County.

Mark Gardner said he takes exception to Mr. Bennett's comments. He said he has been impressed about the way the Board handled redistricting. He said the Board had five different meetings that covered the 5 districts. Mr. Gardner said he has filed to run as District 2 Supervisor. He said he appreciates Supervisor Thach's service to his district for all these years and wishes him well in his retirement. He said he takes exception to what the gentleman (Mr. Bennett) said. He said there was plenty of room for comments to the plan. The media did a good job publicizing the public meetings and the county employees did a good job at the meetings.

Supervisor Latimer asked if anyone had questions. Carl Payne, DeSoto County Election Commissioner, said no map and no plan will please everyone. He said we have included many ideas and comments in the plan. He said a few changes have been made. He said there will be a lot of work for the Election Commission connected to any plan and that comes with the job. Once this is done, the Election Commission hopes to meet with the Mayors to wind up with as few district boundaries and as few split precincts as possible. All of that has to go through the DOJ. He said they looked at all of the data. Everyone that has been involved has worked to get the plan as good as possible. He said he expected much more friction.

Supervisor Latimer asked if there were any other questions.

Supervisor Jessie Medlin said regardless of the boundaries the Election Commission will have to move precincts as part of the redistricting process.

Supervisor Latimer asked between alternates 1, 2, 3 and 4, would alternate 1 or alternate 2 create more or less work for the Election Commissioners and would either be more confusing. Mr. Payne said he thinks alternate 4 would be less confusing than alternate 3. He said 1 or 2 might be less confusing than 3 as well. He said whatever the Board gives the Election Commission they are going to work with it and do their best to serve the people of DeSoto County.

Supervisor Allen Latimer asked if Mr. Payne if he thinks 1 or 2 is less confusing. Mr. Payne said he would have to look at that. He said we have tried to provide the best options they can for voting. He said we will continue to do the best we can for the citizens of DeSoto County.

Amanda Herring said she is a citizen of DeSoto County in District 4. She said we have heard from the incumbents, citizens, citizen groups, candidates and more about redistricting. She said her questions are, were neutral things considered like historical landmarks, minority rights and incumbent polling places. She said this is a win for any citizens group or elected official. She

said this is the best thing for the people of DeSoto County and people will get fairness from the plan. She wanted extra assurance regarding historical landmarks and other neutral factors were considered.

Supervisor Latimer said he thinks Ms. Herring is asking the consultant a question and she should be asking the Board the question.

Ms. Herring said he meant to ask the consultant. She said she would like to know other aspects were considered in making the plan.

Mr. Watson said alternate plan 4 was not designed to ensure a party or person success in elections. It was designed on constitutional requirements to achieve a balanced population for the voters and meeting the requirements of the voting rights act. Mr. Watson briefly reiterated the process to further assure the process followed one man one vote principals and Department of Justice requirements. He said we have had minorities involved in this redistricting process. We have taken into account those interests. He said that has all been considered in connection with Voting Rights Act. The changes the DeSoto Redistricting Committee requested are easy and simple changes. He said in drawing these districts they have taken into account the precincts and splits that the plan creates. He said they have taken into account the existing geography and they have tried to make the boundaries as logical and easy to identify as possible. They have tried to keep the polling places as logical as possible and they have factored into the plan a whole lot of information. He said the changes respectful of historical boundaries, incumbents and polling places. A whole lot of requests factored into the plan. He said it is quite amazing to accomplish this much with all the factors and still abide by law.

Supervisor Latimer asked if there were anymore questions.

Sean Green said he is also running for District 2 Supervisor. He asked if there is a chance there will be a fifth map. The Board said they did not think so, but they don't know. He said he is at the corner of Districts 1, 2 and 5 now and any change could move him out of his district.

Supervisor Latimer said his constituents are not black, white or brown they are red, white and blue. He said he knows race is a condition for the DOJ. He said he commends the DeSoto County Redistricting Committee. Their objective was not to equally distribute minorities. The objective was to create a greater opportunity for minorities to elect their candidate of choice. He said that is why the minority voters vary so.

Kelly Jacobs said the concerns of the DeSoto County Redistricting Committee were the only three precincts that elected President Obama. She said their concern was that those precincts were not diluted. It was the committee's intent to have one supervisor, one judge and so forth. She said that has been accomplished with the fourth map.

Supervisor Latimer said these concessions were made to accommodate the Democratic Party.

Ms. Jacobs said she mentioned Democratic candidates. She said the committee was put together to promote minority candidates. She said she knows it is no surprise that DeSoto County votes primarily Republican. Because of the history of Mississippi the federal government looks at voting strength changes.

Supervisor Latimer said he thinks that two of those precincts have been in District 4 forever. He asked the percentage of population when it was first blocked out like that. He said the break down is actually no concern of his. He said you act like it was busted up on purpose. He said Ms. Jacobs said they simply looked at one group of voters that are connected and wanted them be to be kept together.

Supervisor Latimer said the main thrust was to create a district to favor to one voting block of common interest.

Amanda Herring said concrete objective facts were considered in addition to legal requirements. She said she thinks consideration of minority voters is a moral and legal obligation. She says she does take great exception to the fact that if any political data was used to create that. If a

Democrat or Republican district was used she takes exception to that. She said she hopes objective data was used and not the objectives of a political party.

Don Daniel asked did they ask about political preference.

Supervisor Latimer said since the last meeting everyone has met with the constituents.

Mr. Watson said they looked at minority numbers, the precincts that were brought to their attention for higher minority consideration. He said they don't care about who is voting Republican or who is voting Democrat. Mr. Watson said they don't care whether an African American runs a Republican or a white person runs as a Democrat. They are interested in minority population as it relates to the federal requirements.

Supervisor Latimer said we are all citizens of DeSoto County. He said we will go forward and work together to keep the county safe and create job opportunities.

Supervisor Latimer asked if there were any other questions.

Supervisor Tommy Lewis asked if the Board wants to set a date for the Public Hearing.

Supervisor Russell asked if there were any publication rules for the Public Hearing.

Board Attorney Tony Nowak said the DOJ wants to see that the public was given notice of the Public Hearing on final approval and given the opportunity to be heard on the final plan.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to accept alternate 4 and to instruct Bridge and Watson to prepare information to send to the Department of Justice for alternate 4 and to call a Public Hearing to receive public comments on the final plan on Tuesday, February 22, at 9:00 a.m.

Supervisor Allen Latimer asked the Board of Supervisors to vote against the motion because to him, too many accommodations have been made.

The motion passed by a vote as follows:

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

County Administrator Michael Garriga said they will make sure the legal requirements have been met.

Circuit Clerk Dale Thompson said she was concerned about the precinct changes. Supervisor Bill Russell said they have to go to the DOJ, but they do not have to accompany the redistricting plan.

Ms. Thompson asked if we have any idea about the state's plan for their precinct boundaries. Supervisor Russell said no.

Supervisor Allen Latimer said when this meeting is over he is going to withdraw as a Republican Supervisor candidate. There may be some people in District 4 who want to run but have not out of courtesy to him and his family, and he wants to give them chance to qualify before the immediate March 1st deadline. **See Exhibit D.1**

E. NEW BUSINESS

F. EXECUTIVE SESSION

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

G. OTHER ISSUES

1. Korean War Event

Supervisor Allen Latimer asked when the next meeting on the Korean War Event will be. Vanessa Lynchard said the meeting will be held March 8th at 6:30 p.m., in the Board Room. She said anyone interested in participating with the planning of the event is urged to come and participate.

2. Receiving Clerk

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to appoint Amy Henley as an Assistant Receiving Clerk for Facilities Management beginning April 1, 2011. 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. Homebuyer Assistance Plan

Supervisor Bill Russell asked the status of the Homebuyer Assistance Plan.

County Administrator Michael Garriga said the administrator who oversees the program for the county had his status revoked. He said the program is not available now. It looks like the state will oversee the program going forward.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to recess the meeting until February 22, 2011 at 9:00 a.m. 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

THIS the 17th day of February, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Allen Latimer, President
DeSoto County Board of Supervisors