

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

BILL RUSSELL, PRESIDENT 2015 PRESIDING

September 10, 2015

A. CALL TO ORDER

The September 10, 2015 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 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 Michael Lee	District 5
Sheriff Bill Rasco	Sheriff
W. E. Sluggo Davis	Chancery Clerk
Vanessa Lynchard	County Administrator
Tony Nowak	Board Attorney

B. INVOCATION

Supervisor Lee Caldwell presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. CITIZENS REMARKS AND PRESENTATIONS

Supervisor Bill Russell asked if there was anyone present who wished to address the Board. No one came forward.

E. APPROVAL OF AGENDA: ADDITIONS AND DELETIONS

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

The following requests were made to add to the Agenda:

1. Inventory Clerk, Char McCool requested to add an inventory adjustment for the Sheriff’s Department.

Ms. McCool stated that one of the cars being purchased by Nesbit Fire District from the Sheriff’s Department was never approved for disposal/surplus. She presented the inventory adjustment from the Sheriff’s Department to surplus said car.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the inventory adjustment as presented by Ms. McCool.

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 Michael Lee, Fifth District	<u>YES</u>

See Exhibit E.1.

2. Road Manager Andy Swims requested a personnel issue be heard in Executive Session.

3. County Administrator Vanessa Lynchard reported that the Attorney General had returned an opinion regarding payment in arrears.

Ms. Lynchard reviewed the opinion and noted the opinion does not apply to rent, but does apply to maintenance contracts, so the Board can approve prepayment for the right to service if the Board determines the company has the capacity to perform the service. Board Attorney Tony Nowak stated that the Board will have to make a finding on each contract that the county receives a benefit from prepayment and the other party is capable of performing, and you can put a default reimbursement from owner clause in all contracts. No action was taken.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the Agenda with the additions 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 Michael Lee, Fifth District	<u>YES</u>

F. NEW BUSINESS

Budget Discussions FY16

Court Reporters

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion for county court reporters to receive the percentage raise that other county employees get and for chancery and circuit court reporters' initial raise to be based on statutory salary and not to exceed the allowable court weeks assessed to DeSoto County and in the future will be based on the DeSoto County portion of the court reporter salary only.

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 Michael Lee, Fifth District	<u>YES</u>

Radios in county vehicles:

Supervisor Mark Gardner stated that after meeting with several people that know about the upgrades and existing radios he recommends we allocate the funds from the General Fund ending cash to upgrade radios across the board. Supervisor Gardner also recommended not ordering the radios until after the first of the year when they should be more cost effective. This recommendation would make this a one-time purchase and not spread it across all the departments.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to allocate \$350,000.00 from ending cash in General Fund to upgrade digital radios across the board.

The motion passed 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>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>

Supervisor Michael Lee, Fifth District YES
Supervisor Medlin stated he was opposed because he feels we can use cell phones.

County Road Manager Andy Swims stated that emergency situations are when we really need these radios. Routine activities could probably be worked around by other means.

Sheriff's Budget:

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to leave the Sheriff's Department budget the same dollar amount as last budget year with the exception of raises for employees.

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 Michael Lee, Fifth District	<u>YES</u>

Raises for County Employees:

County Administrator Vanessa Lynchard gave a salary handout and said in looking at the employees' salaries, and trying to find a way to favor lower paid employees, she looked at all the departments individually. She took out anyone with a statutory salary, anyone hired in the last 12 months, and anyone who received a salary increase in the last 12 months. The biggest exemption was the Tax Collector's office because so many of them got certifications which resulted in pay increases. Carol Carpenter in this department did not receive a certification raise. The board discussed at length the value of raising lower salaries and department heads having discretion over raises in their departments.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to give a three percent (3%) increase in the budget line items by department, after removing from the calculation: vacant positions, statutory positions, anyone hired in FY15 budget year who is in probationary period, those that received raises this past year including employees who received certification that required raises until their anniversary date of the raise, and outside agencies governed by a board, provided, however, part-time employees and Animal Shelter employees, 1 in Justice Court, and 2 in the Road Department that received raises last year will be eligible for raises; and to allow department heads discretion to give raises as they see fit within the 3% increase.

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 Michael Lee, Fifth District	<u>YES</u>

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to authorize raises for employees who were left off the previous motion to receive raises on the one year anniversary date of their last raise, or a new hire on the completion of their probationary period if the supervisor recommends them. This money will not be put in the department budget, but the department head will have to appear before the Board.

The motion passed 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>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

Chief Financial Officer Andrea Freeze asked if this action would result in a budget amendment during the year. Mrs. Lynchard affirmed.

Capital Expenses:

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to lower ending cash by moving \$350,000.00 for radios, \$300,000.00 for ambulances, \$50,000.00 for Facilities, and \$50,000.00 for IT Software to FY16 budget.

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 Michael Lee, Fifth District	<u>YES</u>

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to adopt the FY2016 budget as presented and with the changes previously discussed and approved by the Board during budget discussions; and to set the tax levy as presented on the approved budget and to set the millage rates based on the 2016 budget as follows.

IN THE MATTER OF LEVYING COUNTY AND
AD VALOREM TAXES FOR
FISCAL YEAR 2015-2016
INCLUDING ROAD MAINTENANCE, SCHOOL DISTRICT
AND ANY OTHER TAXING DISTRICTS

It is ordered and adjudged by the Board of Supervisors of DeSoto County that the following ad valorem tax rates, or tax levies, be and the same hereby are, imposed and levied for fiscal year 2015-2016, upon all taxable property in DeSoto County, State of Mississippi, and in the County school district, drainage districts and any other taxing districts in DeSoto County as the same are now assessed and listed or may hereinafter be assessed and listed on the Assessment Rolls of said County, as of January 1, 2015 upon each dollar of valuation.

PURPOSE OF LEVY	LEVIED MILLS
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FOR DESOTO COUNTY GENERAL FUND:

- | | | |
|-----|--|------------|
| (1) | Levy authorized by Section 27-39-329, Mississippi Code of 1972 | 4.00 |
| | <u>This levy for 4.00 mills is for the following items:</u> | |
| | General County | 3.00 mills |
| | General County Mandatory (current expenses and maintenance authorized by Section 27-39-329 (2)(b), Mississippi Code of 1972) | 1.00 mill |
| (2) | For General County purposes (current expense and maintenance authorized by Section 27-39-303, Miss. Code of 1972) | 22.65 |

This levy for 22.65 mills for General County purposes is for the following items: office and administration, judicial, law enforcement, assistance to individuals, farm and home services, operation and maintenance of county facilities, economic opportunities, advertising county resources, libraries, county health, soil and water conservation and emergency medical services, as shown by the budget to be adopted by the Board of Supervisors in accordance with the regulations of the State Audit Department.

TOTAL GENERAL COUNTY.....26.65

- | | | |
|-----|--|------|
| (3) | For maintenance and construction of roads, as authorized by Section 27-39-305, Code of 1972. | 2.97 |
| (4) | For county-wide maintenance and construction of bridges and culverts, as authorized by Section 65-15-7, Code of 1972 | 4.00 |

TOTAL MAINTENANCE OF ROADS AND BRIDGES.....6.97

(5) For operation of the solid waste disposal program and the rubbish pit, authorized by Section 19-5-21, Code of 1972 1.37

TOTAL SOLID WASTE.....1.37

(6) 2005 \$6.960 million refunding bonds, interest and sinking (Section 19-9-9) (Fund 223) .60

(7) 2007 \$8.755 million refunding bonds, interest and sinking (Section 19-9-9) (Fund 216) .41

(8) 2009 Public Improvement refunding bonds, interest and sinking (Section 19-9-9) (Fund 224) 1.01

(9) 2009 \$16 million general obligation bonds, interest and sinking (Section 19-9-9) (Fund 225) .76

(10) 2009 Refunding bonds-Mississippi Development Bank (Section 19-9-9) (Fund 226) .35

(11) 2010 Refunding Bonds (Section 19-9-9) (Fund 227) .62

(12) 2010 \$5 Million Bonds (Section 19-9-9) (Fund 228) .31

(13) 2012 Refunding Bonds I&S (Section 19-9-9) (Fund 229) 1.10

(14) 2013 \$10.5 Million Bonds I&S (Section 19-9-9) (Fund 231) .51

(15) 2015 Refunding Bonds I&S (Section 19-9-9) (Fund 232) .36

TOTAL DEBT SERVICE.....6.03

TOTAL DESOTO COUNTY.....41.02

FOR DESOTO COUNTY SCHOOL OPERATIONS:

(1) For the operations of all public schools in the DeSoto County School District, as required by the State Department of Education, and as authorized by Section 37-57-104, et. seq., Code of 1972 40.35

(2) Board of Education Notes interest and sinking fund (Section 37-59-107) 3.00

(3) Board of Education Bonds interest and sinking fund (Section 37-59-23) 10.22

TOTAL DESOTO COUNTY SCHOOLS MILLAGE.....53.57

FOR NORTHWEST MISSISSIPPI COMMUNITY COLLEGE OPERATIONS:

(1) Support of Northwest Mississippi Community College, as authorized by Section 37-29-141, Code of 1972 1.99

(2) Support of Northwest Mississippi Community College Building and Improvement Fund, as authorized by Section 37-29-141, Code of 1972 2.12

TOTAL NORTHWEST MISS. COMMUNITY COLLEGE MILLAGE.....4.11

TOTAL EDUCATION MILLAGE.....57.68

TOTAL COUNTY-WIDE MILLAGE.....98.70

OTHER LEVIES:

- (1) For support of County Fire Protection Districts, in accordance with Section 19-5-189, Code of 1972, as follows:
- | | |
|--|------|
| a. Brights/Lewisburg Fire Protection District (real property only) | 1.00 |
| b. Walls Fire Protection District (real property only) | 1.00 |
| c. Eudora Fire Protection District (real property only) | 1.00 |
| d. Love Fire Protection District (real property only) | 1.00 |
| e. Nesbit Fire Protection District (real property only) | 1.00 |
- (2) For support of Volunteer Fire Departments in accordance with Section 83-1-39, Code of 1972, as follows:
- | | |
|--|------|
| All property in DeSoto County, exclusive of municipalities | 2.00 |
|--|------|
- (3) For providing fire protection, a forest acreage tax on all timbered and uncultivated lands in DeSoto County is hereby levied as authorized by Section 49-19-115, Code of 1972.
- | | |
|--|--------------|
| | .09 per acre |
|--|--------------|
- (4) Yazoo Mississippi Delta Joint Water Management District (Section 51-8-43)
- | | |
|--|-----|
| | .75 |
|--|-----|
- (5) Yazoo – Mississippi Delta Levee District (Miss. Const. Ann. Art. 11)
- | | |
|--|------|
| | 2.00 |
|--|------|
- (6) Drainage tax against all property liable therefore, as authorized by Orders of Records as of this date, and as authorized by Section 51-31-65, Code of 1972
- | | |
|---|------|
| a. Cane Mussacuna Drainage District | 8.00 |
| b. Northwest Mississippi Consolidated Drainage District | 3.50 |
| c. Short Fork Creek Drainage District | 0.25 |
| d. Lake Cormorant Drainage District | 0.00 |
| e. Horn Lake Creek Watershed Drainage District | 2.60 |

None of these levies exceed any of the limitations set out in Title 27, Chapter 39, Code of 1972, or amendments thereto.

STATE OF MISSISSIPPI, DESOTO COUNTY

I, W.E. Davis, Chancery Court Clerk and ex-officio Clerk of the Board of Supervisors, in and for said County and State, do hereby certify that the above is a true and correct copy of the taxes levied by the Board of Supervisors at its September 10, 2015 meeting.

Given under my hand and official seal this the 10th day of September, 2015.

(SEAL)

W.E. Davis, Chancery Clerk

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 Michael Lee, Fifth District	<u>YES</u>

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell made the motion to recess the Board meeting to September 21, 2015 at 9:00 a.m.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell made the motion to reconsider recessing the Board meeting.

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 YES
Supervisor Michael Lee, Fifth District YES

G. EXECUTIVE SESSION

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

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to recess the Board meeting until September 21, 2015 at 9:00 a.m.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District YES
Supervisor Mark Gardner, Second District YES
Supervisor Bill Russell, Third District YES
Supervisor Lee Caldwell, Fourth District YES
Supervisor Michael Lee, Fifth District YES

THIS the 10th of September, 2015, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Bill Russell, President
DeSoto County Board of Supervisors