

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

DISTRICT FOUR LEE CALDWELL, PRESIDING

August 11, 2014

A. CALL TO ORDER

The August 11, 2014 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Lee Caldwell, 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 Harvey Lee	District 5
Sheriff Bill Rasco	Sheriff
W. E. Sluggo Davis	Chancery Clerk
Vanessa Lynchard	County Administrator
Tony Nowak	Board Attorney

B. INVOCATION

Chancery Clerk Sluggo Davis presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF AGENDA: ADDITIONS AND DELETIONS

1. Supervisor Lee Caldwell requested adding a possible executive discussion under personnel.

This item was later determined to be a duplicate for executive session and was removed from the Agenda.

2. Road Manager Andy Swims requested adding Estates of Centerhill

3. Board Attorney Tony Nowak requested adding a possible executive discussion under potential litigation.

This item was later determined to qualify for executive session.

4. Road Manager Andy Swims requested adding possible executive discussion under personnel.

This item was later determined to qualify for executive session.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to approve the Agenda with additions and deletions as set forth.

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 YES
Supervisor Lee Caldwell, Fourth District YES
Supervisor Harvey Lee, Fifth District YES

E. NEW BUSINESS

1. Budget Amendments

Chief Financial Officer Tom Arnold presented budget amendments for the Board’s consideration for approval.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to approve the budget amendments as detailed in Exhibit E.1.

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 Harvey Lee, Fifth District YES

See Exhibit E.1

2. Firearms in Public Buildings

Board Attorney, Jody Neyman, appeared to discuss the status of the open carry statute. Mr. Neyman said the Board order regulating the carrying of firearms in County buildings, which was approved September, 2013, has been found by the Attorney General’s office to be in non-compliance with the current law and should be revoked immediately. The order that was previously approved prohibits people from the open carrying or possession of weapons in county buildings, and prohibits the concealed carrying without an enhanced concealed permit. The Attorney General’s Office said that the Board order does not comply with the recent amendments to the law that were passed earlier this year. Mr. Neyman reviewed the law regarding the carrying of weapons and what the Board of Supervisors can and cannot regulate. Mr. Neyman advised the Board that Judges can still prohibit weapons from inside their courtroom, at their discretion, pursuant to Section 45-9-53.

Mr. Neyman said neither a municipality nor county has the statutory authority to regulate by ordinance the carrying of any weapon, concealed or open, except in places specifically specified in Section 45-9-53. He said that schools may also prohibit firearms in or on their premises according to law.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to rescind the previous Board order from September 2013, regulating the carrying of firearms in public buildings and to remove all signs restricting the carrying of firearms that have been posted per the directives of the Board order.

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 Harvey Lee, Fifth District YES

Mr. Neyman then advised the Board that the Sheriff still retains the authority to oversee security at the Courthouse and may post updated signs which comply with the current law. Mr. Neyman will visit with the Sheriff to be sure proper signs are posted.

3. Comcast Franchise Agreement Renewal Update

Supervisor Mark Gardner said that there is not a lot of news about improvements with Comcast's service. Supervisor Gardner said Comcast added three techs for DeSoto County. He said they still have a lot of improvement to do.

Board Attorney Tony Nowak said draft the franchise agreement is lengthy and needs to be revised. He met with Otha Brandon and discussed a number of revisions that should be incorporated into the franchise agreement.

Supervisor Jessie Medlin asked if there is a local person that we can contact. Supervisor Gardner said no. He said that Comcast brings business to DeSoto County. He said he gets more complaints about Comcast's service than roads in the county.

Mr. Nowak said Comcast is currently working under the auto renewal provisions of the Cable Communications Act. He said the Board has already approved him to work on the franchise agreement.

He said the Board has already approved him to work on the agreement.

Supervisor Jessie Medlin said the more the Board is involved with Comcast issues, the more it appears to the public that we have control over Comcast and we have no control over them at all. He said he would like to be able to at least reach someone who speaks English when people call Comcast.

No motions were made nor votes taken on this issue.

4. Budget Discussions FY15

County Administrator Vanessa Lynchard thanked Comptroller Tom Arnold and his staff, department heads, managers and the Board of Supervisors for their participation in the proposed budget. Almost every department had no increase in their proposed budgets as they dealt with essentials and non-essentials. Ms. Lynchard said there were some items that were on departmental lists for two years and they still pushed it back. Ms. Lynchard said she could not say enough about the employees of this county.

Ms. Lynchard made the following comments:

The Board of Supervisors' strong leadership and vision have kept the taxpayers of the county from likely bearing a tax increase in FY15 if services were to remain at the current high level. Assessed values plus in lieu taxes have remained basically the same since 2009. The cost of doing business has grows every year as our population increases and federal and state mandates increase.

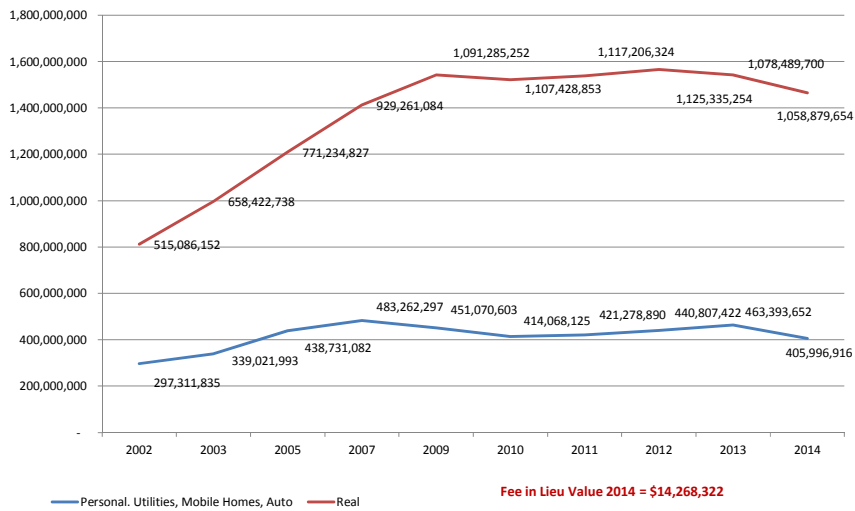
This Board and past Boards have followed through their commitment to strong, fiscally conservative leadership. This budget closes ten years without a millage increase. Your employees and county elected officials have again contributed to making this amazing history a reality, by cutting and/or controlling their spending and committing to doing that again in FY15. Yet there are rising costs to consider.

Thanks to your strong "team approach" to county government management and strong fiscal control, the county is poised to meet the challenges of FY15.

There are some decisions to be made by the Board to convert this budget draft to a final document. Once again, the Board's wisdom and love for this county will lead to the adoption of the FY15 budget.

Ms. Lynchard presented the following graph relating to property taxes in the county:

TOTAL ASSESSED VALUE



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Real, Personal, Mobile Home, Prior Year
Property Taxes Assessment Impact

GENERAL FUND 001-000

FISCAL YEAR	ASSESSED VALUE	REVENUE VALUE
FY15	1,058,879,654	31,000,000
FY14	1,078,489,700	33,012,000
FY13	1,125,335,254	33,400,000
FEE IN LIEU		
FY15		2,690,700
FY14		425,000
FY13		316,236
TOTAL REVENUES		
FY15		45,598,650
FY14		45,579,909
FY13		45,406,015

OTHER REVENUE FUNDS

	FY14 VALUES	FY15 VALUES
ONE MILL MANDATORY 002-000		
Property	1,450,000	1,425,000
Total	1,464,500	1,436,000
GARBAGE AND SOLID WASTE 105-000		
Property	1,690,000	1,600,000
Total	1,749,000	1,687,500
VOLUNTEER FIRE 106-000		
Property	725,500	700,500
Total	725,500	700,500
ROAD 156-000		
Property	2,444,000	2,360,000
Total	6,761,550	6,498,000
BRIDGE AND CULVERT 160-000		
Property	5,550,000	5,250,000
Total	6,170,000	5,545,000

The Board discussed how taxes affect the taxpayers and industries that move into DeSoto County. Ms. Lynchard noted that growth is flat and that will have an impact on the FY15 budget.

Ms. Lynchard discussed the following budget facts from FY08 – FY13 – Salaries and Fringes and the Total Expense by fund chart:

Budget Facts FY08 – FY13 – SALARIES AND FRINGES

SALARIES AND FRINGES	Gen. Fund	Solid Waste	Vol. Fire Dept	Road Fund	Bridge Fund	TOTAL
FY 2008	\$ 21,793,232	\$ 303	\$ 14,150	\$ 2,111,268	\$ 1,999,685	\$ 25,918,638
FY 2009	\$ 24,999,935		\$ 15,865	\$ 2,299,117	\$ 2,035,521	\$ 29,350,438
FY 2010	\$ 24,601,135		\$ 13,436	\$ 2,066,336	\$ 1,971,858	\$ 28,652,765
FY 2011	\$ 25,551,363		\$ 14,507	\$ 2,031,898	\$ 1,946,461	\$ 29,544,229
FY 2012	\$ 25,766,092		\$ 15,053	\$ 1,954,423	\$ 1,919,732	\$ 29,655,300
FY 2013	\$ 27,905,080	\$ 29,717	\$ 4,586	\$ 2,229,327	\$ 1,818,173	\$ 31,986,883

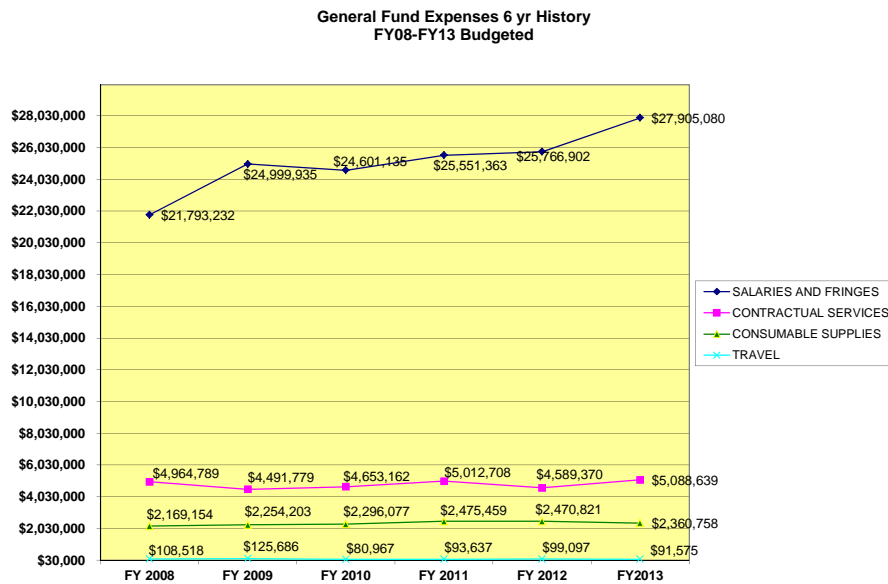
Budget Facts FY08 – FY13 – Total Expense by Fund

	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY2013
SALARIES AND FRINGES	\$ 25,918,638	\$ 29,350,438	\$ 28,652,765	\$ 29,544,229	\$ 29,655,300	\$ 31,986,883
CONTRACTUAL SERVICES	\$ 7,379,551	\$ 7,105,129	\$ 7,017,037	\$ 7,576,135	\$ 6,787,913	\$ 8,581,756
CAPITAL OUTLAY	\$ 6,131,269	\$ 5,563,869	\$ 4,877,041	\$ 6,320,903	\$ 5,430,002	\$ 5,861,487
ALLOCATIONS	\$ 3,941,455	\$ 4,123,428	\$ 4,271,848	\$ 5,010,462	\$ 4,564,909	\$ 3,700,290
CONSUMABLE SUPPLIES	\$ 3,872,257	\$ 4,014,214	\$ 3,799,583	\$ 3,965,746	\$ 4,000,208	\$ 3,900,021
DEBT SERVICE	\$ 904,394	\$ 2,296,373	\$ 138,561	\$ 30,353	\$ 30,357	\$ 30,353
INTERFUND TRANSACTIONS	\$ 504,864	\$ 496,275	\$ 358,339	\$ 864,093	\$ 1,556,755	\$ 1,321,553
TRAVEL	\$ 111,255	\$ 128,539	\$ 84,261	\$ 94,777	\$ 102,814	\$ 97,708

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Supervisor Mark Gardner said that employees got a 3% increase over the last few years.

Ms. Lynchard presented a chart reflecting information about General Fund Expenses 6 year History,



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FY08-FY13.

The Board also discussed assessed values being down and how fee in lieu of taxes impacts the assessed values.

Supervisor Jessie Medlin said the Board needs to be cautious when approving companies for fee in lieu.

Supervisor Gardner said the employees have received a 3% increase the last few years. Ms. Lynchard said that the total expense for salaries and fringes for 2013 is \$31,986,883. Supervisor Gardner said there was a year or two that the employees did not receive raises. Supervisor Medlin said the Board gave the employees nice raises when the county was booming with growth.

The Board discussed the general fund and debt service. Supervisor Gardner asked if there are opportunities to refund or payoff bonds. Mr. Arnold said there may be a little bit on some but he thought that most of them were small. Supervisor Gardner said he would like to see if there are bonds so that we could pay off early. Supervisor Lee Caldwell said she spoke to County Financial Advisor Demery Grubbs and he did not think there was anything the Board could do either. Mr. Arnold said DeSoto County has one the highest credit ratings in the state. The Board has done a good job managing the taxpayer's money.

Sergeant Macon Moore of the Sheriff’s Department introduced several officers who presented information on the rise in crime in DeSoto County. They all agreed there is a great need for more patrol vehicles and additional staff as the rate of crime rises in DeSoto County. A portion of the discussion is as follows:

	YTD 2013	YTD2014	Percent Change
Cases Assigned	361	285	-21%
Crimes Against Persons	51	66	+29%
Crimes Against Property	218	157	152%
Other	92	62	-33%
Forensics Cases	398	591	+48%

- Includes three gang related drive-by shootings over zero the previous year to date.
- Increase partly attributed to new classification procedure.
- Other Crimes Assigned for investigation: Found property, civil matters, fire investigations, runaway juveniles, etc.
- January through June due to items still being processed for July 2014.
- Increase partly due to implementation of new database reporting procedures.
- Workload has required latent processing work to be sent to State Crime Lab.

Sheriff Bill Rasco presented estimates for additional vehicles and staffing.

Supervisor Lee Caldwell said the Board appreciates the Sheriff’s Department’s presentation. She said we agreed on cutting \$450,000. Ms. Lynchard said actually the agreement was to cut \$475,000 last year and \$475,000 this year. Supervisor Caldwell said they also agreed on two less deputies. She said the Board may have to ask for a millage increase because we do not have the money.

Sheriff Rasco said they just wanted to show the Board what their needs are and why.

Supervisor Gardner said they appreciate all the work the Sheriff’s Department did on the presentation. It was presented very well and our number one concern is public safety. He said they will try to find out where they can get the additional funding needed for the Sheriff’s Department.

The Board discussed the Sheriff’s request and agreed to wait until the budget was completely covered to see how much money would be reduced that might be directed to the Sheriff’s needs.

The Board of Supervisors discussed the BOS budget on page 12. Supervisor Bill Russell recommended line number 476 for meals and lodging be reduced to \$5,000. Supervisor Russell said we asked for a tight budget and the Board should be tight as well.

Supervisor Mark Gardner said that some of the meetings have been very beneficial. Supervisor Jessie Medlin said some of the meetings help but some don’t.

Supervisor Bill Russell said he has had two senators say that we send too many people on the Blue Ribbon trip. He said they have made progress on the Blue Ribbon trips because all of the cities attend and participate in discussion relating to the county.

Supervisor Lee Caldwell said that air quality and transportation are important issues in the county.

Supervisor Russell said the Board can always make a decision to amend the budget if more travel funding is necessary.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve reducing line number 001-100-476 on page 12 of the BOS budget for meals and lodging to \$5,000. The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>NO</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>NO</u>

Supervisor Harvey Lee, Fifth District

YES

Page 5 Circuit Clerk

001-102-468 – Ms. Lynchard said that there was an increase in the Circuit Clerk’s insurance.

001-102-544 – Ms. Lynchard said that needs to be changed back to \$9,900.00.

Page 7 Tax Collector

001-104-441 – Ms. Lynchard said she would check with Tax Collector Joey Treadway on the amount for overtime. Mr. Treadway will be training employees which would require overtime. Ms. Lynchard said she would verify with Mr. Treadway to see if the amount could be reduced.

F. EXECUTIVE SESSION

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

Supervisor Mark Gardner made the motion to recess the Board meeting until August 13, at 11:00 a.m. The motion was seconded by Supervisor Harvey Lee.

The motion passed by a vote as follows:

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

YES
YES
YES
YES
YES

THIS the 11th day of August, 2014, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Lee Caldwell, President
DeSoto County Board of Supervisors