

AGREEMENT

Between

**Hancock County, Mississippi
and
City of Bay St. Louis, Mississippi
and
Hancock County, MS Election Commission
and
Hancock County, MS Circuit Clerk**

WHEREAS, it is in the interest of the City of Bay St. Louis, Mississippi to ensure that elections for municipal elective positions are conducted in the most efficient manner possible consistent with providing all qualified and duly registered voters of the City of Bay St. Louis the opportunity to cast their vote for the candidate(s) of their choice, and

WHEREAS, pursuant to Miss. Code Ann. 23-15-221, the Mayor and City Council of the City of Bay St. Louis, Mississippi previously adopted an ordinance declaring its intention to enter into an agreement with Hancock County, Mississippi to have the County's Election Commissioners, with the assistance of the Hancock County Circuit Clerk, conduct the City's municipal elections and other functions that are performed by the City of Bay St. Louis Election Commissioners for the benefit of the efficiency and conformity of elections within the community, and

WHEREAS, pursuant to said ordinance, the City of Bay St. Louis, Mississippi desires to enter into this agreement with Hancock County, Mississippi, the Hancock County, MS Election Commission and the Hancock County, MS Circuit Clerk to conduct and otherwise assist in conducting all municipal elections in accordance with applicable law and as outlined below; and

WHEREAS, said ordinance also abolished the City of Bay St. Louis Election Commissioners and thereby, subject to the terms of this Agreement, authorized the Hancock County Election Commission, in conjunction with the Hancock County Circuit Clerk, to perform the duties previously performed by the City's Election Commissioners, and

WHEREAS, the Hancock County, Mississippi Board of Supervisors, the Hancock County Election Commission and the Hancock County Circuit Clerk desire to enter into this Agreement in order to further their mutual interests in providing efficient voting systems and procedures consistent with Mississippi law.

NOW, THEREFORE, pursuant to Section 23-15-221, Miss. Code Ann., the Hancock County Election Commission, with the assistance of the Hancock County Circuit

Clerk, hereby agree to perform all of the duties previously performed by the City of Bay St. Louis Election Commission, including the following:

1. Canvass the results of municipal bond elections, including bond elections for the Bay St. Louis Waveland School District, if requested by the City in writing;
2. Canvass the returns of special and general elections for Mayor and City Council within five (5) days after any special or general election, and deliver to each person receiving the highest number of votes a certificate of election;
3. Certify to the Secretary of State the name or names of the person or persons elected at special and general elections within ten (10) days after any special or general election;
4. Revise the primary pollbooks at the time and in the manner and in accordance with the laws now fixed and enforced for revising pollbooks, except they shall not remove from the public any person who is qualified to participate in primary elections;
5. Print the pollbooks that are to be used in City of Bay St. Louis elections;
6. Print and distribute the "official ballots";
7. Perform the duties of poll managers in the event there is only one election precinct;
8. Perform any of the duties required of the City of Bay St. Louis Executive Committee pursuant to Section 23-15-239 in the event the City of Bay St. Louis Executive Committee has entered into a written agreement with the City Clerk or the City Election Commission;
9. Determine whether each party candidate in City of Bay St. Louis general elections is a qualified elector of the City and of the ward if the office sought is a ward office, whether each candidate either meets all other qualifications to hold the office he or she is seeking or presents absolute proof that he or she will, subject to no contingencies, meet all qualifications on or before the date of the general or special election at which he or she could be elected to office, and whether any candidate has been convicted of any felony in a court of the State, or has been convicted on or after December 8, 1992, of any offense in another state which is a felony under the laws of this State, or has been convicted of any felony in a federal court on or after December 8, 1992;
10. Declare each candidate elected without opposition, if the candidate meets all the qualifications to hold the office as determined pursuant to a review by the County Election Commission in accordance with the provisions of paragraph (9) above;
11. Canvass the returns for municipal elections received from all voting precincts and within ten (10) days after the election, deliver to each person receiving the highest number of votes a certificate of election. If it shall appear that any two (2) or more candidates receiving the highest

number of votes shall have received an equal number of votes, the election shall be decided by the toss of a coin or by lot, fairly and publicly drawn by the election commissioners;

12. Transmit the statement provided in Section 23-15-611 to the Secretary of State certifying the name or names of the person or persons elected at City of Bay St. Louis elections;

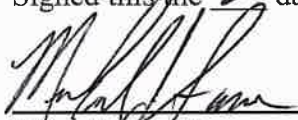
13. Receiving the filed document by any person desiring to contest the qualifications of another person who is qualified pursuant to the provisions of Section 23-15-361 as a candidate for City of Bay St. Louis office elected on the date designated by law for regular municipal elections that specifically sets forth the grounds of the challenge no later than 31 days after the date of the first primary election set forth in Section 23-15-309; and

14. Perform all other duties with respect to City of Bay St. Louis elections as prescribed by law.

15. The City of Bay St. Louis agrees to reimburse the Circuit Clerk and the Hancock County Election Commission for the costs and fees incurred to perform the duties described in this Agreement. A cost estimate is attached hereto as Exhibit A.

16. The City of Bay St. Louis agrees to pay the Hancock County Circuit Clerk Kendra Ncaise \$3,850 per election (primary and general) to perform the duties described in this Agreement.

Signed this the 8 day of JANUARY, 2021.



Mike Fayre, Mayor
City of Bay St. Louis, Mississippi



Chairman, Hancock County, MS Election Commission



Kendra Ncaise, Circuit Clerk
Hancock County, MS



Scotty Adam, President
Hancock County, Mississippi Board of Supervisors





Hancock County MS

Order of the Board of Supervisors

Agenda Item (ID #8.C.2)

DATE: January 27, 2025

TO: Board Secretary

FROM: Valerie Fitts, Board Secretary

ISSUE: Motion to approve and authorize the Board President to sign the Agreement between Hancock County, Mississippi and City of Bay St. Louis, Mississippi, and Hancock County, Mississippi Election Commission and the Hancock County, Mississippi Circuit Clerk to assist in conducting all municipal elections in accordance with applicable law.

RESULT: Approve

MOVER: District 5 Supervisor Ladner

SECONDER: District 2 Supervisor Shaw

AYES: Donald Graham, Greg Shaw, Chuck Clark, Scotty Adam, DarrinBo Ladner

ATTACHMENTS:

1. HC.Agreement.HC.BSL.HCEC.CC
2. Agreement HC.BSL.HC.Election Commission.HC Circuit Clerk - signed

SO ORDERED AND RESOLVED on January 27, 2025

Attest:



Scotty Adam

Scotty Adam, Board President

