

BEFORE THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI

In re: Authorize Payment of Certain Fees and Expenses for 2013 of Chancery Clerk Arthur Johnston and Adopt and Enter the Following Order:

**ORDER FOR PAYMENT OF CERTAIN FEES AND EXPENSES
OF THE CHANCERY CLERK'S OFFICE**

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and requested the Board authorize and approve the payment of the following fees and expenses for calendar year 2013, and

WHEREAS, the Clerk did represent that all such fees and expenses were proper and allowed by statute and were payable by the county as provided by law,

IT IS THEREFORE ORDERED by the Board of Supervisors of Madison County, Mississippi, that the following fees and expenses as provided by statute relating to the services performed by the Chancery Clerk of this county be and the same are hereby approved and shall be allowed unto Arthur Johnston, Chancery Clerk, for compensation of said services rendered to the people, said fees and expenses shall be payable in monthly installments except where otherwise noted below.

IT IS FURTHER ORDERED that said Clerk is hereby employed to (a) process the homestead applications, (b) serve as the county's Passport Acceptance Agent, (c) restore certain records of the county in his charge, and is directed to carry out other necessary services as outlined in the statutes listed below:

- (1) § 25-7-9(1)(f) – Attendance on the Board of Supervisors: Clerk and one deputy, each \$20.00;
- (2) § 25-7-9(1)(g) *as amended in 2004* – Semi-annual allowance as Clerk of the Board of Supervisors: \$3,000.00 payable in one half in July and one half in January;
- (3) § 27-105-343 *as amended in 2004* – For services as County Treasurer: the sum of \$2,500 per annum, payable in equal monthly installments;
- (4) § 25-3-19 – For services as County Auditor: an annual sum of \$5,300.00, payable in equal monthly installments;
- (5) § 25-7-9(1) – For recording fees due the Chancery Clerk for recording instruments relating to county-owned real estate, homestead chargeback notices (dis-allowances), and oaths and bonds of public officials, both elected and appointed – standard recording fees payable after-the-fact;

- (6) § 25-7-9(1)(h) – *as amended in 2005* - Attendance on the Chancery Court as approved by the Chancellor: For each day, first Chancellor sitting: \$50.00 per day each for himself and two deputies;
- (7) § 25-7-9(1)(h) – *as amended in 2005* - Attendance on the Chancery Court as approved by the Chancellor: For each day, second Chancellor sitting: \$50.00 per day, Clerk only;
- (8) § 25-7-9(1)(i) – *as amended in 2005* - Clerk and two deputies, allowance of five (5) extra days for the Clerk and two deputies for attendance upon the Court to get up records: \$50.00 per day each for himself and two deputies per term of court;
- (9) § 41-21-79, *et al* – For administrative services performed in connection with commitment proceedings (both alcohol/drug and mental) such as consultations with family or friends, scheduling physicians, providing insurance information to hospitals, and making arrangements for pre-screenings and follow-ups: \$60.00 per commitment, as ordered by the Court;
- (10) § 41-21-79, *et al* and M.R.C.P. 3 (c) and (d) – For pauper's oaths both in general and in connection with commitment proceedings for paupers: \$108.00 per case as ordered by the Court;
- (11) § 25-7-9(1)(j) – For public services not otherwise specifically provided for, contingent upon the approval of the Court, an annual sum not to exceed \$5,000.00 payable \$416.67 per month;
- (12) § 25-3-21 – For copying tax rolls, a statutory fee of \$.03 per assessment, per copy of each real roll and \$.015 per assessment, per copy of each personal roll for the current year;
- (13) § 27-33-37(m) – To employ the Clerk to collect and assemble data and information and to perform the services required of the Board by § 27-33-37(e) and to make investigations required of the Board in connection with administering the Homestead Exemption Law as directed by the board as follows: for the first 2,000 applications, \$1.00 per application; for the next 2,000 applications, \$.75 each, for the next 2,000 applications, \$.50 each, for the next 2,000 applications, \$.35 each, all over the above number, \$.25 each;

- (14) § 19-15-1 – For the restoration and preservation of county records in accordance with the contract approved by said Board herewith, a true and correct copy of which is attached hereto as Exhibit A, spread hereupon and incorporated herein by reference, payable \$500.00 per month through December 2016 and \$1,500 per month in June, July and August of each such year;
- (15) Such fees as are allowed and required by federal law in connection with the processing of U. S. Passport Applications including a fee of up to \$10.00 for each passport photograph taken using office equipment.
- (16) § 35-3-13 – For each certificate of military discharge recorded in the office: \$1.00. No charge, however, shall be made to the veteran for either the original recording or the making of copies.

IT IS FURTHER ORDERED that, to the extent necessary, the Board President is authorized to enter into contracts with the Clerk to carry out the above and foregoing items.

FURTHER, and acting pursuant to Miss. Code Ann. § 25-11-106.1 (2)(a)(iii)(Supp. 2010), for contributions required for calendar year 2011 and for each year of the current term of office thereafter, the Board has previously elected to be responsible for the employer share of contributions to the Mississippi Public Employees Retirement System on the proportionate share of net income of both the chancery and circuit clerk attributable to fees. The chancery clerk has given the notice contemplated by said code section to the Executive Director of the Mississippi Public Employees Retirement System.

Following discussion, Mr. _____ did offer and Mr. _____ did second a motion to adopt the above and foregoing Order. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronnie Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the motion carried unanimously and said Order was and is hereby adopted.

SO ORDERED on this the 22nd day of January, 2013.

_____, President
Madison County Board of Supervisors

ATTEST:

Arthur Johnston, Chancery Clerk