

**RESOLUTION RESCINDING THAT CERTAIN RESOLUTION DATED OCTOBER 14, 1982 REGARDING CREATION OF THE OFFICE OF PUBLIC DEFENDER AND FOR OTHER PURPOSES**

**WHEREAS**, the Board of Supervisors approved a Resolution on September 16, 2013 recorded in Minute Book \_\_\_\_\_ at page \_\_\_\_\_, which declared that the Public Defenders of Madison County are to be classified as Independent Contractors and not as Public Employees, and for other purposes; and

**WHEREAS**, subsequent to the approval of that Resolution the Board of Supervisors caused to be found a previous Resolution or Ordinance dated October 4, 1982 regarding the "Establishment of an Office of Public Defender", which was overlooked during a previous search due to its placement on the Minute Book as an un-indexed entry; and

**WHEREAS**, in all of the subsequent years after the approval of said 1982 resolution, Madison County took no action to execute or enable the fulfillment of said 1982 Resolution, but rather demonstrated actions consistent with the classification of its Public Defenders as Independent Contractors, and not as Public Employees; and

**WHEREAS**, in consultation with judicial authorities and in appreciation for the efficient administration of justice within Madison County, the Board of Supervisors finds afresh that the establishment of an Office of Public Defender would not be in the best interests of Madison County, and that the constitutional interests of indigent defendants and the financial interests of Madison County, in particular, would be better served if its Public Defenders would continue to be classified as Independent Contractors and not as Public employees, pursuant to the aforesaid 2013 Resolution.

**THEREFORE**, the Madison County Board of Supervisors hereby rescinds the Resolution dated October 14, 1982, previously entered into the Minute Books as a non-indexed entry, and declares that any purpose, intent, or effect to be accomplished by the passage of said Resolution shall be rendered "null and void", and is hereby canceled.

Following the reading of the foregoing Resolution, Supervisor \_\_\_\_\_ moved the adoption of the Resolution, and Supervisor \_\_\_\_\_ seconded the motion for its adoption. The matter was then put to a roll call vote, and the result was as follows:

Supervisor Karl Banks  
Supervisor John Bell Crosby  
Supervisor Paul Griffin

voted: \_\_\_\_\_  
voted: \_\_\_\_\_  
voted: \_\_\_\_\_

Supervisor Ronny Lott  
Supervisor Gerald Steen

voted: \_\_\_\_\_  
voted: \_\_\_\_\_

The Motion having received the affirmative vote of a majority of the members present, the President declared the motion carried and the resolution adopted this, the \_\_\_\_\_ day of September 2014.

Board of Supervisors  
Madison County, Mississippi

\_\_\_\_\_  
Karl Banks, President

ATTEST:

\_\_\_\_\_  
Cynthia Parker, Chancery Clerk