

# BOARD OF SUPERVISORS

Madison County, Mississippi

E-911 Office

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Date: December 17, 2012

To: Madison County Board of Supervisors

From: Butch Hammack



Re: Amendment to Policy  
Damage Claims

We are seeking consent to make an amendment to our current policy for Damage Claims. Our office is recommending that we add a clause in the current policy to set a time limit in which a claim can be reported. We recommend the following clause:

*“Any claims made must be made within seven (7) working days of the incident.”*

We feel this will help eliminate frivolous claims, as well as, allow our office to investigate the claim thoroughly and properly. This will also allow any road damages discovered to be repaired more promptly, thus possibly eliminating multiple claims in that area.

**MADISON COUNTY, MISSISSIPPI**  
**POLICY**  
**DAMAGE TO PROPERTY FROM DEFECTIVE BRIDGES**  
**ROADWAYS, CULVERTS OR MOWING EQUIPMENT**

The Madison County Board of Supervisors has the authority, in its discretion, to allow for damages sustained to stock, vehicles or other property injured or destroyed while traveling along the public highways maintained by the county where such loss is caused by defects in a bridge, roadway or culvert in such roadway. No such payment of claim against the county may be allowed unless such defect in such bridge, roadway or culvert was the cause of the injury and was not apparent or discovered by the exercise of reasonable diligence, and the Madison County Road Department failed after seven (7) working days to remedy or repair in such time as to constitute gross carelessness and neglect on the part of the county.

The traveling public should use reasonable caution when entering an area where county mowing machines are at work along the road right of way. No such payment of claims for damages against the county, resulting from mowing activities, shall be allowed unless the county failed to use reasonable diligence to prevent such damage.

All incidents shall be immediately or within a reasonable time thereafter, be reported to the Madison County Road Department and/or the Madison County Emergency Management Agency. Claims of damage must be in writing with two itemized estimates of monetary damages. In order for the settlement of a claim to be considered, the Madison County Emergency Management Agency will investigate. The Agency will prepare an incident report along with photographs, and will make a finding as to damages to be assessed to the county, if any.

Anyone who feels aggrieved will have the right to appeal the Emergency Management Agency's decision before the Madison County Board of Supervisors during a Board meeting. One must telephone the Board of Supervisors office requesting to be placed on the Board's agenda.