

## ■ Policies

From page 1-A

on the policy, as did all four commissioners. The judge recommended that a county employee other than elected officials and a private citizen also serve on the panel.

"I have found that you run into less problems if you involve the public and the community," May said.

Commissioner Henry Lovette said he believes the county could get some good advice from employers in the area, such as Georgia Pacific and Alabama Power Company.

A motion to form a committee for drafting and recommending the policy was made by Lovette and Ruffin and passed unanimously.

"With a personnel policy in place, neither the employees nor the Commission will be in doubt as to what is expected," May added.

Attorney Lee McPhearson added that a valuable resource would be looking at other small, rural counties that may have already adopted personnel policies that could be modified or adapted to fit Choctaw County's needs.

"You could talk to their administrators and see what works and what doesn't," he said.

In other matters at the Feb. 12th meeting:

■ A discussion regarding the carrying forward of employees' holiday hours was tabled until a personnel policy can be addressed.

■ Commissioner Ruffin asked to make salary adjustments for members of his District Two crew similar to those given last week by Commissioner Brown to his men in District One.

"We don't want to have to revisit this two more times," May commented, asking if District Three Commissioner Dixon and District Four Commissioner Lovette had any input. "That way a unified motion could be made," May commented.

Last week, Brown gave three employees salary adjustments — a fifty-cents per hour increase to one (\$11.50 to a new rate of \$12); thirty-cents an hour to another (\$10.45 to a new rate of \$10.75); and \$1.60 to a third employee (\$8.60 to a new rate of \$10.25).

"We ought to have a unified pay scale and pay rate and everybody ought to stay with it," May said. "This is one more reason why we need a personnel policy."

Brown said that the raises are coming out of his district budget and not the general fund.

"I understand that, but we still need some uniformity," May said.

Ruffin wanted to give the raises to his District Two crew effective with the next payroll period.

Lovette and Dixon said they were not prepared to make a specific recommendation.

The board — at May's request — tabled the matter until the next meeting so that the three commissioners can work out the amounts that they want to give their employees.

■ In another personnel matter, Ruffin said he had spoken with shop mechanic Gerald Presley who has asked about a mechanic helper.

"When we moved a man from the shop, we took away his help," Ruffin said. "We have a lot of maintenance work that needs to be done. I'd like to see some guidelines as far as a person having experience in welding, tire repair, hydraulics, and other areas before we hire somebody for that position."

May, however, said at this point such talk is wishful thinking.

"I believe we ought to put any new employment on hold until we get these raises set to see where our budget is at," the judge said. "We have to put a freeze on things because we are likely to find ourselves over-budget by the end of the fiscal year."

May said that at some point down the line, the county hopes to give all employees a raise.

"But right now that's just not possible," he said.

## ■ Lawsuit

From page 1-A

County school system.

A Mobile law firm filed suit on May 4, 2006, in federal court alleging that the Choctaw County Board of Education was effectively 're-segregating' the county's school system. Civil Action 06-281 was filed in the United States District Court for the Southern District of Alabama, Southern Division by the law firm of Stein, Brewster & Pilcher, L.L.C., on behalf of Anderson.

The suit — which presented only one side of the legal argument — alleged that Anderson was discriminated against on the basis of his African-American race when he applied for a position within the local school system.

"In the Spring of 2005, plaintiff (Anderson) applied for the position of counselor with the defendant (Choctaw Co. BOE)," stated the suit. "On July 7, 2005, defendant selected a white person for the counselor's position and rejected plaintiff for the position. The white person selected was less qualified than plaintiff for the position."

The suit went on to allege that the BOE's policies for hiring and assigning faculty and staff positions was being done on the basis of race, thus limiting the number of African-American employees hired or assigned in two of its four schools, namely Southern Choctaw High and Southern Choctaw Elementary.

"Defendant has a policy or practice of hiring and assigning professional and non-professional employees, including principals, assistant principals, counselors, teachers, and staff members, on the basis of race," the suit alleged. "Defendants' unlawful, race-based policy or practice limits the number of African-American employees hired or assigned to two of its four schools, Southern Choctaw High School and Southern Choctaw Elementary School. By its unlawful, race-based practice or policy described immediately above, defendant is re-segregating its schools."

Greg Stein, attorney with Stein, Brewster & Pilcher, L.L.C., told the *Sun* last year that it was his belief that Anderson was discriminated against because of the board's ongoing policy to keep a racial imbalance in the system, in particular as it relates to the predominance of white students, faculty, and administration in the south end of the county.

The suit asked that Anderson be granted a declaratory judgment that the alleged policies and practices of the BOE are in violation of 42 U.S.C. Section 1983, which was derived from the Civil Rights Act of 1871. The suit further asked that he be awarded back pay in the amount that he would have earned from the date of his employment if he had been hired at SCHS, until the day of the court's decision, as well as compensatory damages and reasonable attorneys' fees and expenses.

Following months of legal wrangling, both parties reached a proposed settlement last week.

"From all understandings, last week both parties agreed upon it," Chairman Isaac Johnson told the BOE. "It's probably the best way to settle this. Both parties were agreeable. It's just a matter of us agreeing to the settlement."

The settlement included the monetary compensation, plus a position for Anderson in a Choctaw County school when such a job becomes available.

"This has to be a true vacancy," Moore explained. "This does not mean vacancies of non-renewed positions that will be filled by the same counselor in the next school year, but a true vacancy when someone leaves a position."

The BOE voted to accept the settlement on a 4 to 1 vote, with board member Ronald Hampton casting the lone 'no' vote.

# District Court cases on Feb. 20th docket

**BUTLER** — A total of 97 cases are scheduled to be heard by Judge D.P. Scurlock III in the Feb. 20, 2007 session of Choctaw Co. District Court.

Readers are reminded that some cases may be settled or continued prior to that date.

Hunting after dark — Herman Oneal Pipkins.  
Cruelty to animals — Larry Wayne Adams.

Unlawful use/possession of drug paraphernalia — O.B. Baskin.

NWNI — Patrick Lashawn Blakley.

NWNI — Patrick Lashawn Blakley.  
Assault (3rd degree) — Kevin D. Bonner.

Criminal mischief (3rd degree) — Kevin D. Bonner.  
Domestic violence (3rd degree, assault) — Angelia Broadhead.

Domestic violence (3rd degree, harassment) — Angelia Broadhead.

Domestic violence (3rd degree, assault) — Angelia Broadhead.

Assault (3rd degree) — Melissa Causey.

No hunter orange — Billy Eugene Clemmons, Jr.  
Hunting after dark — David R. Ceuvas.

Hunting after dark — Kimberly Clark Cuevas.  
Resisting arrest — Lorenzo Curtis.

Domestic violence (3rd degree, menacing) — Lorenzo Curtis.

Unlawful possession of marijuana (1st degree) — Damarcus Meshawn Deloach.

Unlawful use/possession of drug paraphernalia — Monroe Evans, Jr.  
Hunting after dark — Stacey Darlene Ford.

Hunting after dark — Terry Dawayne Ford.  
Hunting from a public road — Terry Dawayne Ford.

NWNI (five counts) — Larry Earl Frost.  
Harassment — Albert Graham.

Unlawful possession of marijuana (2nd degree) — Marvin Chancey Grant.  
Criminal trespassing — James Brian Grice.

Domestic violence (3rd degree, assault) — Henry Milton Harbin.

Domestic violence (3rd degree, assault) — Tony Hives.

Resisting arrest — Tony Hives.

NWNI — Anthony L. Johnson.

No hunter orange — William Raymond Kent.  
Theft of property (3rd degree) — Euell D. Landrum.

Domestic violence (3rd degree, assault) — Daniel Lewis.

Domestic violence (3rd degree, assault) — Marlene Lewis.

No hunter orange — Grover Perry Linder.  
Hunting over bait — Grover Perry Linder.

Criminal littering — Jamie Lee Maistros.  
Assault (3rd degree) — Kendrick Maurice McGrew.

Reckless endangerment — Marcus D. McGrew.

Domestic violence (3rd degree, assault) — Marcus D. McGrew.

Reckless endangerment — Marcus Dantrel McGrew.

Domestic violence (3rd degree, harassment) — John McIlwain.

Hunting over bait — Daniel Joseph McKiever, Jr.  
Unlawful possession of marijuana (2nd degree) — Albert Mitchum.

Criminal trespassing — April Mitchum.  
Reckless endangerment

— April Mitchum.  
Hunting over bait — Arthur William Mosley, Jr.

Assault (3rd degree) — Denise Parker.  
Hunting after dark — Shon Oneil Pipkin.

Hunting over bait — Shon Oneil Pipkin.  
Hunting over bait — Herman Oneal Pipkins.

Hunting over bait — Dan Lee Presley.  
Harassment — Jonathan Presley.

Hunting over bait — Bruce F. Reeves.  
Hunting over bait — Jeri Donald Reeves.

Hunting over bait — William Earl Reeves.  
Hunting without a non-resident license — William Earl Reeves.

Domestic violence (3rd degree, assault) — Jonathan Rodgers.

Hunting over bait — Jeffrey Scott Smith.  
Hunting over bait — Michael Shay Smith.

Hunting without a license — Tara Chastain Smith.

Criminal mischief (3rd degree) — Bryon Spears.  
No hunter orange — Dustin Scott Sprinkle.

Criminal trespassing — Denise Turner Thompson.  
Disorderly conduct — Antonio Guadalupe Trevino.

NWNI — Sherry Tyrone.  
NWNI (two counts) — Christy Mazingo Tyson.

Hunting without a license — Frederick Joshua Vaughn.

Hunting in a wildlife feeding area — Brian Sean Wilkins.

Domestic violence (3rd degree, assault) — Kory McDade.  
Assault (3rd degree) — Angela Bush Robinson.

Leaving the scene of an accident — Shawn Desmond Woodard.

Resisting arrest — Carl Freeman, Jr.  
Public intoxication — Carl Freeman, Jr.

Health Dept. violation (solid waste) — Henry Keeton.

Health Dept. violation (solid waste) — Henry M. Lassiter.

Health Dept. violation (solid waste) — Lanette Lewis.

Health Dept. violation (solid waste) — Tommy Lloyd.

Health Dept. violation (solid waste) — Mary L. Luden.

Health Dept. violation (solid waste) — Alisha McGrew.

Failure to participate in Solid Waste program — Robert Merrida.

Failure to participate in Solid Waste program — Greg Nicholson.

Failure to participate in Solid Waste program — Wanda Pringle.

Health Dept. violation (solid waste) — Jennifer Reid.

Failure to participate in Solid Waste program — Edgar Ruffin.

Health Dept. violation (solid waste) — Michael Ruffin.

Health Dept. violation (solid waste) — M.C. Sashington.

Health Dept. violation (solid waste) — Johnny Shoemaker.

Health Dept. violation (solid waste) — Thomas Sigler.

Health Dept. violation (solid waste) — Jennie B. Sturdivant.

Health Dept. violation (solid waste) — Maggie Taylor.

Health Dept. violation (solid waste) — Joe Lewis Thompson.

Health Dept. violation (solid waste) — Marino Thompson.

# CCC hears of locked gates across roads

By Tommy Campbell  
The Choctaw Sun

**BUTLER** — Commissioner Clyde Dixon said at Monday's meeting of the Choctaw Co. Commission that he has become aware of several long-time county roads that have now been barred by locked gates.

"They're on the map, but for some reason, people have put up gates," he said at the Feb. 12th meeting. "There's other people who own property that can't get to the land because of those gates. They're pretty upset and they are saying that we need to find out about this."

Attorney Lee McPhearson advised that the first step is to see if the county has a recorded deed or easement to the property where the road is located.

"But there are other ways that a road can become 'public' without having those documents," he admitted, and said that he would be glad to look into the matter if the Commission instructed him to do so.

Probate Judge D'Wayne May said that, in his opinion, the proper way of handling such issues would be for the citizens who are voicing complaints to put those complaints in writing and present them to the Commission.

"At that time we could instruct our attorney to do some research on it," May said. "Otherwise, we could have the attorney working on this eight hours a day."

In other matters, Commissioner C.D. "Budd" Ruffin made a

motion — which was seconded by Commissioner Henry Lovette and passed unanimously — to send out invitations to bid on all tires purchased for county vehicles.

Ruffin said that he wanted to make sure the board considers local dealers as well as getting the best price for the county.

Commissioner Dandy Brown said the board has been using the State's bid list when tires are needed.

"I have had problems trying to get tires right away from one of the dealers on that State bid list," Ruffin said, adding that he will work with the engineer's office to prepare a list of tire sizes, and will have that list ready to send out by the Commission's March 12th meeting.

■ Ruffin will be attending the National Association of Counties' annual legislative meeting in Washington, DC the first week of March, and the board on Monday approved an amount of \$838.10 to reimburse Ruffin for the cost of his Amtrak train ticket.

■ The new County Agent-Coordinator for the Choctaw Co. Extension Service was introduced by Retired Agent-Coordinator Elaine Alberson.

Jennifer Utsey Miller began work last week and said she is looking forward to her new job with much enthusiasm.

Judge May commended Mrs. Alberson for the work she has done over the years, and wished Mrs. Miller all the best as she begins her duties.

Even though Mrs. Alberson retired last year,

she still spends time volunteering with local 4-H groups.

■ The board again discussed, but took no action, on a new uniform rental agreement. The county's existing contract has expired and Commissioners had voiced some concerns about the quality of the outfits as well as the level of service received. Ruffin recommended checking with some other companies, including Cintas.

The board agreed last week to continue renting the men's uniforms on a week-to-week basis until the matter can be discussed in greater detail in a future meeting.

■ The board voted unanimously to not release paychecks to any employee until after 8 a.m. on Thursdays of "payday" weeks.

Treasurer Alice Carol Smith said that in the past she has been requested to release checks early for a variety of reasons, but that the problem comes in when an employee deposits or

cashs a check the day before the check is actually dated.

"People come in here wanting checks on Tuesdays and Wednesdays, and this creates problems," she said.

Ruffin said that the board may want to consider going to "direct deposit", but May said that could be a problem for those employees who do not have checking accounts.

■ Commissioner Dixon said the Melvin community is working on building a new walking trail, pavilion, and establishing a community center.

"I'd just like to express my gratitude to the people who have gotten behind this. It's going to be really nice when they get through with it," he said.

Judge May said he has had some calls regarding the community's desire to obtain a building for the project that was once used as a church.

**CAROLYN'S RECYCLING, LLC**

**"WE BUY JUNK AUTO'S & IRON"**

**\$4.00 Per 100 LBS**

Hours: 8-4 P.M. Mon. - Fri. Phone: 334-963-4714

Located: Industrial Road off Hwy 10 East in Pine Hill, AL

**TALK-N-TAN TANNING PACKAGES**

40 - Bulb • 12 Minute Bed \$30. <sup>00</sup> Monthly \$20. <sup>00</sup> for 2 Weeks \$ 5. <sup>00</sup> Per Visit	28 - Bulb • 20 Minute Bed \$20. <sup>00</sup> Monthly \$15. <sup>00</sup> for 2 Weeks \$ 3. <sup>00</sup> Per Visit
--	--

**New 2007 Lotions In-Stock**

**MAKES A GREAT VALENTINES GIFT!**

**1/2 Off selected Lotions!**  
Price Good Thru 3-1-2007

13474 Choctaw Ave. Gilberttown • 251-843-3118