MISSISSIPPI STATE UNIVERSITY
EXTENSION

Your Strongest Asset: Unlocking the Value of Clerks and Department Heads

Extending knowledge. Changing lives.

MISSISSIPPI STATE UNIVERSITY™

EXTENSION

Center for Government and Community Development

- Design and deliver educational programs and training activities
- Provide information and technical assistance
- Address high-priority economic and community development needs
- Serve Mississippi communities and their citizens
- Program participants include:
  - Local government leaders
  - Community-based organizations
  - State and local agencies
  - Business enterprises

Mississippi Solutions Network

MISSISSIPPI STATE UNIVERSITY™

EXTENSION

Center for Government and Community Development

Certified Municipal Clerk Program

- Provides municipal clerks and deputies the opportunity to earn **state and national certification**
- Structured as a **3-year curriculum**
- Includes **two sessions each year**:
  - Spring
  - Fall
- Trusted program serving Mississippi's municipalities for **over 50 years**

Mississippi Solutions Network

Booth 115

MISSISSIPPI STATE UNIVERSITY
EXTENSION

Your Strongest Asset: Unlocking the Value of Clerks and Department Heads

Extending knowledge. Changing lives.


CHANGE
JUST
AHEAD

The first job of the Leaders is to get:

'the right people on the bus...

...the wrong people off the bus,

... and the right people in the right seats'

Jim Collins, Good To Great.

- Research over the past 20 years found:
  - 98% of respondents surveyed have experienced difficult people at work and 99% have witnessed it.
    - 48% intentionally decreased their work effort.
    - 47% intentionally decreased time spent at work.
    - 37% intentionally decreased the quality of their work.
    - 66% said that their performance declined.
    - 78% said that their commitment to the organization declined.
    - 25% admitted to taking their frustrations out on customers.
    - 25% said that they left their job because of uncivil treatment.

Gallo, 2022, Pg. 25

The True Cost of Losing a Key Employee

Turnover isn’t just inconvenient—it’s expensive. Here's what it really costs:

- **Hiring Expenses:** Advertising, interviewing, and screening all take time and money.
- **Onboarding & Training:** New staff need time and resources to get up to speed.
- **Lost Productivity:** It can take 12–24 months for a new hire to match the output of an experienced employee.
- **Team Morale:** High turnover lowers engagement and weakens trust among staff.
- **Service & Mistakes:** New hires are more likely to make errors and slower to resolve issues.
- **Knowledge Loss:** Veteran staff take valuable institutional knowledge with them.
- **Culture Disruption:** Turnover prompts questions and can impact customer confidence.


WHO'S ON
YOUR BUS?

From Task-Doers to Strategic Partners

Old View	Better Perspective
Just following orders	Trusted advisors with institutional knowledge
Minute-takers and report writers	Guardians of transparency and legal compliance
Department heads “run their lane”	Leaders of innovation, risk mitigation, and service delivery
Staff should “stay in their place”	Staff should be *in the room* for key decisions
Elected officials make all decisions	Informed decisions come from shared expertise

International City/County Management Association

14 core areas critical for effective local government leadership and management

14 Core Areas For Effective Leadership

- Personal & Professional Integrity
- Community Engagement
- Equity & Inclusion
- Staff Effectiveness
- Personal Resiliency & Development
- Strategic Leadership
- Strategic Planning
- Policy Facilitation & Implementation
- Community & Resident Service
- Service Delivery
- Technological Literacy
- Financial Management & Budgeting
- Human Resources Management
- Communication & Information Sharing

Hire Well. Support Fully. Then Step Back.

1. Hire Good People

- Focus on character, competence, and cultural fit.
- Prioritize leadership potential, not just technical ability.

2. Equip & Support

- Provide clear expectations, the tools to succeed, and a budget that matches the mission.
- Offer professional development and recognize good performance.

3. Get Out of the Way

- Resist micromanagement. Trust your team to lead.
- Focus on outcomes, not day-to-day control.

And if it’s not working?

- **Act decisively.**
  If someone consistently underperforms or undermines trust, don’t hesitate.
- The longer you delay accountability, the more costly it becomes for morale, services, and public trust.

Power Struggle

Mayor-Council Form

Subject to confirmation by a majority of the council members present and voting the mayor appoints department heads (directors) and members of any municipal board, authority, or commission

21-3-15. Mayor's duties and powers; authority of board of aldermen

- (1) The mayor shall preside at all meetings of the board of aldermen, and in case there shall be an equal division, shall give the deciding vote. **The executive power of the municipality shall be exercised by the mayor, and the mayor shall have the superintending control of all the officers and affairs of the municipality, and shall take care that the laws and ordinances are executed.**

21-3-15. Mayor's duties and powers; authority of board of aldermen

(2)(a) The **legislative power** of the municipality shall be exercised by the board of **aldermen** by a vote within a legally called meeting. **No member of the board of aldermen shall give orders to any employee or subordinate of a municipality other than the alderman's personal staff.**

Holcomb 2022

The executive power of the municipality shall be exercised by the mayor, and the mayor shall have the superintending control of all the officers and affairs of the municipality, and shall take care that the laws and ordinances are executed." This office has previously explained that "**superintending control" as used in Section 21-3-15 means the "general oversight and supervision of municipal departments and employees, of all the officers, employees and affairs of the municipality.**" MS AG Op., *Pepper* at *1 (Jan. 17, 2014). "**The mayor, as the chief executive officer, has general supervisory oversight of municipal government and the daily operation of municipal government is to be supervised by the mayor to ensure that proper services are provided**." MS AG Op., *Reynolds* at *2 (Mar. 30, 2007).

Via, 2024

QUESTION 1: Can the board appoint an alderman or two to oversee a Town project such as with our water department or a construction project and give said alderman the authority to supervise the project, pick up supplies and/or sign charge tickets to purchase the supplies?

RESPONSE: Please see the enclosed copy of our opinion to Mayor Jimmy Cook of October 15, 2004. In summary that opinion states that aldermen may act as **aldermen/advisors and may observe the operation and daily activities of the departments of municipal government for the purpose of reporting back to the entire board but they do not have authority to serve as a supervisor over departments or otherwise become involved in the daily operation of a particular department or make administrative decisions for a department. We noted that actually making administrative decisions for a department by an alderman may constitute a violation of the separation of powers doctrine.**

Policy or Personal Changes

the mayor, as chief executive officer, has superintending control over the municipality, oversees the daily operation of municipal government and ***makes recommendations to the board of aldermen*****.**

Code Charter Appointments: MCA § 21-3-3

- City Clerk
- Police Chief
- Municipal Judge
- Prosecuting Attorney

- **Special Appointments:**
  - Court Clerk if not the city clerk – MCA § 21-23-11
  - Fire Marshall – MCA §21-25-1
  - Street Commissioner – MCA §21-3-23 (May be board member – MCA § 21-3-5)
  - Chief Administrative Officer – MCA § 21-3-25
- Department Heads need to be appointed to make clear who is responsible for each budgeted department and who has liability if the department's budget is exceeded – MCA § 21-35-17

Appointment of Officers

- MCA § 25-1-7 and 25-1-1 authorize an officer to continue in office until a successor is appointed or elected.
- MCA § 25-1-37 makes the acts of an officer in possession of an office valid, even if he/she doesn't legally hold the office. Officers and employees will continue with their duties as currently assigned until the new board takes an official action to make a change.
- A non-reappointed officer may serve in an interim or holdover capacity no longer than 90 days after the beginning of the new term of office. MCA § 21-15-41
- New officer appointments should be made at the beginning of each term of office, even if the same person is being reappointed.
- Failure to appoint someone to a mandatory position could result in liability of the appointing authority for failure to perform its duties, MCA § 25-1-45.
- There is no provision in the law for an "Acting" officer; an appointment is absolute, even if it is intended to be for a short period of time.

Code Charter
Appointment of Municipal Clerk and Deputy Clerks

- Pursuant to § 21-3-3, from and after July 1, 2017, the governing authorities of the municipality shall appoint a city or town clerk who shall, likewise, **serve at the pleasure of the mayor and board.**
  - Municipal governing authorities may require, by ordinance, that an appointed city clerk reside within the municipal corporate limits.

- Section 21-15-13 of the Miss. Code provides for the **appointment of one or more deputy clerks** by resolution or ordinance. **Deputy clerks share all the powers, responsibilities and authority of the city clerk.**
  - Salaries are set by ordinance, but such salary must not exceed that of the city clerk.
  - Deputy clerks serve at the will and pleasure of the governing authority and may be removed at any time.

Statutory Duties of the Municipal Clerk

- **Auditor And Bookkeeper**
  - **Maintain Book of Accounts**
    - The city clerk is liable for damages to the municipality if records are not maintained as required.
  - **Maintains record of receipts and expenditures for governing authorities.**
  - **Makes a monthly report of receipts and expenditures for governing authorities.**
    - the city clerk at each regular meeting to submit to the governing authorities a report showing the expenditures and liabilities incurred against each separate budget item for the month and also for each preceding month of the fiscal year together with the unexpended balance of each appropriation item.
  - **Draws warrants for claims and accounts.-**
    - All expenditures must be approved by the governing authorities in the minutes. Even if it is an otherwise lawful expenditure, unless it has been approved in the minutes, the municipality cannot pay it.
    - All warrants or checks must be signed by the mayor, or a majority of the members of the board of aldermen, in a code charter municipality. All warrants must be attested by the clerk, attesting to the validity and genuineness of the check, and the seal must be affixed to the checks.
    - Section 21-39-17 imposes criminal liability on the clerk if the clerk willfully or feloniously signs a check to spend money from the treasury when the expenditure is not authorized by any order entered on the minutes.
  - **Complete a contract audit within 12 months of fiscal year's end.**

Statutory Duties of the Municipal Clerk

- **Custodian of Minutes & Official Seal**
  - **Minutes**
    - The clerk is required to keep the minutes of all meetings, whether in open or executive session, of the governing authority. All proceedings, orders, ordinances, resolutions and any other actions of the governing authority should be placed in the minutes. Minutes must be indexed alphabetically, so that all entries can be easily found.
  - Section 21-15-33 requires that the minutes be adopted and approved by a majority of the members of the governing body at the next regular meeting or within thirty (30) days of the meeting they represent, whichever occurs first.

Statutory Duties of the Municipal Clerk

- **Municipal Docket (Agenda) (MCA § 21-15-19)**
  - Clerk is required to keep a permanent record to be styled the "Municipal Docket," upon which is to be entered each subject, other than claims and accounts, to be acted upon by the governing authority at the next meeting. He/she “shall enter each subject, other than claims and accounts, to be acted upon by the governing authorities at the next meeting.
  - The mayor may place items on the agenda. Aldermen/council members may place any item of city business within the jurisdiction of the legislative branch of government on the agenda.
  - The mayor may not use statutory authority to preside over meetings to prevent an alderman from placing items on the agenda or to prevent discussion of or voting on any matter on the agenda at the meeting.

Statutory Duties of the Municipal Clerk

- **Ordinances**
  - Ordinance Book. The municipal clerk shall keep the ordinances of the municipality in a book and shall append to each ordinance a note indicating the date of passage, and a citation to the minute book and page of the minutes containing the record of its passage. Ordinances not entered in the minute book are considered void. It shall be the duty of the municipal clerk to keep the ordinance record indexed alphabetically. (MCA § 21-13-13) prevent discussion of or voting on any matter on the agenda at the meeting.

Statutory Duties of the Municipal Clerk

- **Taxes**
  - Assessment Roll
  - Certification of tax levy.
  - Collection of Taxes & Tax Sale
  - Privilege License

Statutory Duties of the Municipal Clerk

- **Municipal Court Clerk**
  - Section 21-23-11 of the Miss. Code provides that the clerk of the municipality shall be the clerk of the municipal court, unless the governing authorities shall otherwise elect. Duties of the municipal court clerk are set out by statute. (See MCA § 21-23-11)
  - Mandatory annual training required.

Statutory Duties of the Municipal Clerk

- **Registrar of Voters**
  - Section 23-15-35 of the Miss. Code provides that the municipal clerk shall be the registrar of voters. The registrar keeps the municipal registration books and complies with all provisions of law regarding state and local elections.

Statutory Duties of the Municipal Clerk

- **Preserving Public Records**
  - Records Retention Schedule
  - Each municipality must establish and maintain an active and continuing program for the management of records. Section 25-60-5(1) of the Miss. Code provides that any municipal official or employee who accepts a document for filing as a public record shall, in addition to any other fee, collect $1.00 per document.

Stennis Institute 2023 Salary Survey

Job Title / Population Group	Mean	Minimum	Maximum	25%	50% (Median)	75%	Number of Responses
City Clerk							
Over 20,000 Residents	$85,994.48	$60,211.46	$100,420.00	$78,844.19	$90,219.20	$94,513.60	12
10,000 to 19,999 Residents	$70,169.15	$53,000.00	$84,016.00	$64,360.38	$71,000.00	$75,894.80	12
5,000 to 9,999 Residents	$64,857.76	$49,000.00	$93,000.00	$58,516.65	$63,902.00	$68,000.00	11
1,000 to 4,999 Residents	$47,364.05	$30,000.00	$78,750.00	$40,125.00	$47,323.00	$51,010.80	42
0 to 999 Residents	$26,784.34	$1,200.00	$58,000.00	$9,500.00	$30,720.00	$37,441.44	45
Deputy City Clerk							
Over 20,000 Residents	$55,696.16	$41,620.80	$85,009.60	$43,231.82	$48,357.60	$65,534.51	10
10,000 to 19,999 Residents	$44,383.33	$27,040.00	$68,000.00	$39,520.05	$42,744.00	$46,586.82	10
5,000 to 9,999 Residents	$39,537.86	$30,200.00	$51,875.20	$33,110.00	$39,430.00	$44,734.04	11
1,000 to 4,999 Residents	$33,085.72	$12,480.00	$58,000.00	$28,100.80	$31,875.28	$38,625.00	36
0 to 999 Residents	$22,628.79	$150.00	$47,000.00	$12,855.69	$20,800.00	$31,858.56	16
Municipal Court Clerk							
Over 20,000 Residents	$58,529.25	$42,224.00	$85,000.00	$46,930.45	$56,284.80	$66,005.03	11
10,000 to 19,999 Residents	$42,596.95	$34,444.80	$60,507.00	$37,044.00	$40,310.40	$44,366.50	11
5,000 to 9,999 Residents	$40,992.76	$51,875.20	$51,875.20	$37,210.40	$39,705.12	$43,835.60	11
1,000 to 4,999 Residents	$31,184.75	$2,470.00	$52,000.00	$28,325.50	$31,875.80	$35,395.00	32
0 to 999 Residents	$19,439.59	$150.00	$37,441.44	$7,241.00	$22,880.00	$28,777.50	14

Chief of Police

- 21-21-1-The marshal or **chief of police** shall be the chief law enforcement officer of the municipality **and shall have control and supervision of all police officers employed by said municipality.**

Chief of Police

Job Title / Population Group	Mean	Minimum	Maximum	25%	50% (Median)	75%	Number of Responses
Police Chief							
Over 20,000 Residents	$98,577.15	$73,360.00	$111,550.40	$93,819.57	$36,680.50	$107,117.75	12
10,000 to 19,999 Residents	$75,617.48	$61,200.10	$93,371.00	$70,469.32	$75,140.00	$79,952.53	12
5,000 to 9,999 Residents	$131,084.29	$57,980.00	$699,956.25	$60,068.57	$67,418.19	$76,206.25	10
1,000 to 4,999 Residents	$49,618.97	$11,540.00	$75,000.00	$45,860.00	$50,000.00	$56,975.40	40
0 to 999 Residents	$30,490.84	$1,200.00	$69,000.00	$15,400.00	$36,700.00	$39,880.00	30

Fire Chief

- 21-25-1-The governing authorities of municipalities shall have the power to appoint a fire marshal, who may be the mayor, or any member of the governing authority of the municipality, or the city or town marshal.

Fire Chief

Job Title / Population Group	Mean	Minimum	Maximum	25%	50% (Median)	75%	Number of Responses
Fire Chief							
Over 20,000 Residents	$91,777.23	$70,800.00	$110,000.00	$87,728.68	$93,644.60	$98,372.21	12
10,000 to 19,999 Residents	$70,618.78	$59,159.88	$90,875.00	$65,280.06	$71,448.00	$73,500.00	12
5,000 to 9,999 Residents	$62,275.04	$57,925.14	$68,180.00	$59,734.50	$61,124.65	$64,500.00	10
1,000 to 4,999 Residents	$36,959.92	$2,400.00	$66,000.00	$20,978.00	$40,659.84	$52,500.00	21
0 to 999 Residents	$10,018.85	$1,500.00	$33,696.00	$2,288.28	$4,800.00	$7,809.96	5

Street Commissioner

21-3-23 The street commissioner shall, under the direction of the mayor and board of aldermen, have general control of the streets, alleys, avenues, and sidewalks. He shall see that they are always in proper repair. He shall have the same worked, repaired, altered, paved, lighted, sprinkled, and everything else done that ought to be done to keep the same in good repair and condition, and shall perform all other duties that may be required of him by ordinance.

Chief Administrative Officer

- 21-3-25May through the mayor and board of aldermen, establish the position of chief administrative officer of the municipality.
- The establishment of the position of chief administrative officer shall be by ordinance, and shall require a two-thirds ($^{2}/_{3}$) vote of the mayor and board of aldermen.
- Any action taken by the governing authorities to establish such office shall not be adopted within ninety (90) days prior to any regular general election for the election of municipal officers.
- (3) The chief administrative officer shall have such administrative duties and functions as shall be delegated to him by the mayor and board of aldermen.

Appointment of City Attorney

- **Annually,** the governing authorities may appoint an attorney-at-law, prescribe his duties and determine his compensation.
- In the event legal work that goes beyond that anticipated in the contract is needed by the municipality, the governing authorities, by a unanimous vote, may increase the attorney's salary commensurately.
- Additional legal assistance or financial advice may also be obtained by the governing authority of the municipality over and above the services supplied by the regular attorney.
- In the case of the city attorney or any other attorney serving the municipality in the matter of issuing or refunding bonds, he may not be compensated at a rate higher than 1 percent (1%) of the bonds issued or refunded.

Does the Mayor, Police Chief, or the City Clerk have the power to hire & fire employees without the knowledge of the Board?

In a code charter municipality it is within the authority of the board of aldermen, subject to the mayor's veto, to hire and fire municipal employees. This is a statutory responsibility of the board which may not be delegated to others. Therefore, the answer to your question is in the negative since the board has the sole authority to hire and fire. **However, it is certainly permissible for the mayor, as chief executive, and the police chief and city clerk, as department heads, to make recommendations to the board regarding employment decisions which will affect the various municipal departments. The board may then consider, but is under no statutory obligation, to follow such recommendations.**

Jane Bell-Martin, 1997

Can the Mayor limit Alderman/Dept. Head Communication?

- Aldermen have no authority to become involved in the day-to-day functioning of municipal departments, but are entitled to act as advisors and observe city departments, **including asking questions of municipal employees and gathering information for the purpose of reporting back to the Board as a whole.**
- Members of a municipal board of aldermen have the right, and in fact the duty, to inform themselves to the best of their ability on matters relevant to the conduct of city business.
- Bobby Goddard, 2006

General Dept Head Authority

- department heads are responsible for the daily operation (Hutcherson, 1995)
- the police chief has control and supervision of police officers but that the authority to hire and fire police officers is vested in the governing authorities.

Budgeted Department Definition

- A department is established by budgeting money within a fund for expenditure for a function prescribed by state law or legal order of the municipal governing authorities.
- Departments must be established so that responsibility for exceeding a department's budget vest with one officer or the board or council [see Section 21-35-17, Miss. Code Ann. (1972)].

Budgets

- The departments of the governmental unit are responsible for preparing and submitting appropriation requests for the ensuing budget year.

- July is suggested time of the year for departmental budget request.

Budgets

- Budget revisions resulting in more than a 10 percent change in a department's originally adopted budget must be publicized in the same way the municipality published its original budget. The publication must explain the revision, including amounts, need and purpose.

Hire Well. Support Fully. Then Step Back.

1. Hire Good People

- Focus on character, competence, and cultural fit.
- Prioritize leadership potential, not just technical ability.

2. Equip & Support

- Provide clear expectations, the tools to succeed, and a budget that matches the mission.
- Offer professional development and recognize good performance.

3. Get Out of the Way

- Resist micromanagement. Trust your team to lead.
- Focus on outcomes, not day-to-day control.

And if it’s not working?

- **Act decisively.**
  If someone consistently underperforms or undermines trust, don’t hesitate.
- The longer you delay accountability, the more costly it becomes for morale, services, and public trust.

MISSISSIPPI STATE UNIVERSITY
EXTENSION

Extending knowledge. Changing lives.

Jason Camp

Extension Specialist
Center for Government & Community Development

662-325-3141
Jason.Camp@msstate.edu|

MS Local Gov Guy