

Madison County Board of Commissioners
February 2, 2016
Closed Session Minutes

Present: Chairman Wayne Brigman, Vice Chairman Norris Gentry, Commissioner Bill Briggs, Commissioner Clayton Rice, Commissioner Matthew Wechtel, County Attorney Donny Laws, County Manager Forrest Gilliam.

Attorney Donny Laws and County Manager Forrest Gilliam updated the Board regarding the investigation into the recording of phone lines in the County Administration/Finance Offices.

Upon receiving notice from the County Attorney that the County wished the State to investigate the matter, District Attorney Seth Banks referred the case to the State Bureau of Investigation, which then referred the case to the Federal Bureau of Investigation. An FBI agent interviewed Mr. Gilliam on January 15. During the interview, Mr. Gilliam provided a timeline of events as he had previously shared with the Board and answered questions from the agent. When asked by the agent what he would like to see happen, Mr. Gilliam informed the agent that, if the recording and listening was limited to the phone calls he was aware of, he would be satisfied to see the installation of an independent telephone system for the Administration/Finance Offices and some communication informing the Sheriff of the inappropriate nature of his actions and request that they not be repeated in the future. Mr. Gilliam followed up with the FBI agent the week of January 18 by phone, at which point the FBI agent informed Forrest that the U.S. Attorney had declined to proceed with a more thorough investigation and encouraged the county to move forward with an independent phone system.

On January 29, Sheriff Harwood called Mr. Gilliam at the office and demanded that the phone lines be removed immediately. Mr. Gilliam responded to Sheriff Harwood that the work was being lined up, but could not be completed that day. The Sheriff told Mr. Gilliam that he was aware of the investigation and its conclusion. The Sheriff expressed his displeasure with the Board and the County Manager. The Sheriff earlier in the week had emailed a request to be on the agenda for the February Board of Commissioners meeting but did not state the subject he wished to discuss, beyond desiring to make commissioners aware of issues in the county. Mr. Gilliam responded to the Sheriff's email letting him know that he would be placed on the agenda and asking the Sheriff what topic he would like listed next to his name. The Sheriff had not responded to Mr. Gilliam's question.

There was discussion among the Board regarding any additional steps on the telephone recording incident and subsequent investigation. There was consensus that since the Board had done its due diligence by referring the matter for further investigation and the county was moving forward to install new phone lines, there would be no point in taking any additional steps. Should Sheriff Harwood bring the matter to light at a public meeting, it was agreed that Mr. Gilliam and Mr. Laws could respond at that meeting with a timeline of events and the legal considerations that had been placed before the Board.