

ADAIR COUNTY COMMISSION MINUTES MONDAY, SEPTEMBER 15, 2014

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1. Petitioner has adopted the budget requested by Respondent as a part of the overall 2014 County budget and has thereafter escrowed the amounts that Petitioner believes do not qualify for expenditure by Respondent. See Exhibit A attached - Certified copy of the Adair County, MO 2014 Budget).

Response: Admitted that Petitioner adopted budget requested by Respondent and thereafter escrowed funds. The remainder of Paragraph 1 is denied.

2. Each of the specific items that have been escrowed are identified by subject matter and appropriation request consistent with S. Ct. Op. Rule 12, FORM 2510 parameters and each will be set out separately hereafter for ease in review and determination by the Judicial Finance Commission.

Response: Admitted.

3. The County Commission and its county officials met with Judge Russell E. Steele, 2nd Circuit Court Presiding Judge and his designated staff (hereafter collectively referred to as Respondent) with counsel for both parties present on December 3, 2013 for a formal presentation by Respondent and on January 21, 2014 for discussions of the draft budget and the explanations of Respondent's requested budget allocations. Additional meetings and/or exchanges of information between representatives of Respondent and Petitioner have continued. Counsels for the parties have also committed to continued discussions even past the budget

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adoption deadline to the extent that such discussions seek information and potential resolution of differences between the parties.

Response: Admitted.

DRUG COURT REQUESTS

4. Line Item expenditure request (101-5-012-300.000) Mileage & Training related to Drug Court of \$3,800. Escrowed amount \$3,800 because Petitioner is not required to fund Drug Court activities as a County expense pursuant to Sec. 478.001 RSMo, et seq. See also paragraph 36 with supplemental explanation.

Response: Section 478.001 specifically authorizes and establishes the Drug Court under authority of the Circuit Court. It is a special docket dealing with High-Risk/High-Need offenders, who otherwise likely would be inmates of the County Jail or Department of Corrections. Grants received from the Drug Court Coordinating Commission requires that the Circuit Court seek funding from other sources. In all prior years this funding request was approved by the Adair County Commission. This funding request is reasonable and appropriate for the continuing education and training of Drug Court personnel.

5. Line Item expenditure request (101-5-012-800.000) expenses related to the OSCA Drug Court Contract of \$63,000. Escrowed \$63,000 because the actual state contract which runs from July 1, 2013 through June 30, 2014 was only for \$57,750 - not \$63,000 as shown by Respondent's request, approximately \$31,043 of which

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has already been spent and there is no awarded contract for the balance of Petitioner's budget year running from July 1, 2014 through December 31, 2014 (State of Missouri fiscal period). Additionally, the contract reimbursements have not covered the state expenses of the Drug Court and reimbursements for the months of January 2014 through June 30, 2014 which are unknown.

Response: These funds do not come from Adair County General Revenue, but are part of a grant from the Drug Court Coordinating Commission. These are grant funds under the control of the Circuit Court. The Court is required to use the County as a "clearing-house" for the funds, in effect, the County provides a bank account into which the grant funds are deposited. The County Commission lacks legal authority to escrow grant funds received from the Drug Court Coordinating Commission.

6. Line Item expenditure request (101-5-012-800.000) OSCA contract related to Drug Court of \$63,000. Escrowed amount \$63,000 because Petitioner is not required to fund Drug Court activities as a County expense pursuant to Sec. 478.001 RSMo, et seq.

Response: These are all state grant funds and do not involve the General County Revenue. The County is the "clearing-house" for the funds. Please refer to the Response to Paragraph 5.

7. Line Item expenditure request for Adair County Drug Court expenses (office, equipment, mileage/training) related to Drug Court of \$1,200. Escrowed amount

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\$1,200 because Petitioner is not required to fund Drug Court activities as a County expense pursuant to Sec. 478.001 RSMo, et seq.

Response: See Response to Paragraph #4.

8. Line Item expenditure request (907-5-003-902.200) seeking payment to the Drug Court Checkbook under Respondent's control from the Juvenile Justice Center related to Drug Court activities of \$8,000. Escrowed amount \$8,000 because Petitioner is not required to fund Drug Court activities as a County expense pursuant to Sec. 478.001 RSMo, et seq. and because the funds are being requested for transfer to a bank account not managed or controlled by the County under the County finance system and for programs that are not a part of the Juvenile Justice Center activities directly related to juveniles.

Response: This item does not involve County General Revenue. The source of the funds is JJC. These funds are used for testing, supplies, specimen collection, and compliance checks of individuals under the supervision of the Circuit Court. For example, participants in Drug Court had 63 children, who benefit from their parents being able to maintain a home for the children. If the parents were required to reside in the County Jail or Department of Corrections, this could result in the children coming under the Jurisdiction of the Juvenile Court or being placed in foster homes.

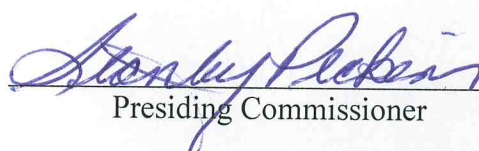
9. Line Item expenditure request (907-5-003-902.300) seeking transfer to the Prosecuting Attorney's Administrative Fund for Drug Court programs from

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ATTEST:


County Clerk


Presiding Commissioner