

**ADAIR COUNTY COMMISSION MINUTES
TUESDAY, AUGUST 20, 2013
6TH DAY JULY ADJOURNED**

The Adair County Commission convened at 8:30 a.m. on August 20, 2013 in the Courthouse at Kirksville. All Commissioners were present.

At 10:45 a.m., Commissioner Pickens and Commissioner Thompson met with Shannon Howe, Adam Dorrell, Jackie Albright, and Aaron Lukefahr of Benton & Associates; representatives of the Missouri Department of Transportation (MoDOT); and representatives of the Federal Highway Commission to inspect the bridge building project on Campbell Cemetery Trail. The Federal Highway Administration (FHWA) Compliance Assessment Program is a new requirement from the Federal government. Everyone involved the meeting went well.

At 1:00 p.m., the Commission met with 2nd Judicial Circuit Judge Russell Steele; Court Administrator, Matt Holt; and Adair County Prosecuting Attorney, Matt Wilson. The meeting was requested by Mr. Holt. Also present was Adair County Circuit Clerk, Linda Decker.

On the way into the Commissioner's suite, Judge Steele stated that the project upstairs was coming along nicely. He hoped to end the project by the end of the week.

Judge Steele began the discussion by stating he had always had a good relationship with the Commission. He felt, however, that recently there had been a lack of communication with the Commission. He wanted to reach an understanding with them regarding the current situation in the Circuit Clerk's office. He thought the Commission did not have enough information about the situation upstairs and felt that more information on any situation was better. He wanted to have a dialogue with the Commission to educate them on the authority he had over the Circuit Clerk's office.

He stated that he had been a Judge for the past 16 years and gave a brief history of how the judicial offices functioned prior to 2008. He said there was an incentive to consolidate the operations of the associate court with the Circuit Clerk's functions in 2008. As a result of the consolidation, the court received \$92,000 which was used for remodeling and office expenses to complete the consolidation. He stated there was an agreement between the Judicial Court, Associate Court, and the Circuit Clerk's office with Adair County Circuit Clerk, Linda Decker, having authority over the office. He stated that over the years Mrs. Decker had failed to perform functions within the office that she had originally agreed to in the consolidation. Judge Steele then gave the Commission handout entitled "Summary of Failure of Adair County Circuit Clerk to Perform and Fulfill Duties and Responsibilities and Detrimental and Injurious Conduct and Behavior dated May 2, 2013 a list of reasons why he felt Mrs. Decker was not qualified to maintain her position over the everyday duties of the Circuit Clerk's office. He sighted chronic absences and tardiness and not supervising the staff. He stated that one office worker was working 50 – 60 hours per week which the Office of the Courts Administration (OSCA) considered to be a violation of the labor laws. Judge Steele said he had talked with Mrs. Decker six or seven times addressing issues of inappropriate work load duties and substantial deficiencies in the office. He continued by saying that she had signed an agreement that she would abide to the terms of the agreement, but three days later decided not to do so. That is why he decided to make Mr. Holt the official budget officer for the Adair County Circuit Clerk's Office. He stated that Mrs. Decker still continued to maintain her statutory duties of the Circuit Clerk, but the Judge now had all the other authority. Judge Steele passed out additional handouts citing statutes confirming his authorities.

Continued on page 135

ATTEST:


County Clerk


Presiding Commissioner