ADAIR COUNTY COMMISSION MINUTES

MONDAY, JULY 2, 2012
1ST DAY JULY REGULAR

The Adair County Commission convened at 8:30a.m. on July 2, 2012 in the Courthouse at Kirksville. All Commissioners were present.

Commissioner Thompson conducted the second reading of the "Petition for Vacation of a Public Road" being a portion of Daniel Cemetery Trail. The Commission received correspondence from Glenna Daniels Young, property owner in the area, who stated she did not oppose the vacation of the road. There was no other correspondence regarding the closure. The third reading is tentatively scheduled for Monday, August 6, 2012 at 9:30a.m.

At the request of Matt Holt, Juvenile Services Administrator, Commissioner Thompson moved that the current budget will now reflect a transfer from line item 907-5-003-904.000 entitled Vehicles in the amount of $38,000 to line item 907-5-002-100.000 entitled Capital Improvements. Commissioner Adams seconded the motion with all in favor.

The Capital Improvements total will now read $63,000. This request was due to the need of the Juvenile Justice Facility driveway/parking lot repairs being greater than the need to replace vehicles at this time.

The Commission met with Bill Lovegreen, Lovegreen Ford-Mercury-Chrysler-Dodge-Jeep of Kirksville, to discuss House Bill No. 1329 which is currently on the desk of Governor Nixon for his approval. The bill is intended to overrule the recent Missouri Supreme Court decision in "Street v. Director of Revenue". In that case, the Court confirmed that vehicles purchased outside of Missouri, and registered here, are subject to the State and local use tax, and not the State and local sales tax. In so ruling, the Court stated that in order for a local jurisdiction to impose a local use tax, it "must be authorized by voters in local referendums."

Mr. Lovegreen stated that he believed the Governor would VETO the bill as unconstitutional. If that occurred, it could take as long as 18 to 24 months for the bill to be challenged. Today, no local tax is collected on out-of-state vehicles sales in jurisdictions that do not have a voter approved local use tax which includes Adair County.

Mr. Lovegreen wants everyone to be on the same page and determine how to get an item on the ballot for Use Tax Authority. Commissioner Adams stated that it was the County's intention to put the issue on the November ballot. Mr. Lovegreen felt it should be a collaborative effort between the City and the County. He stated that Mari Macomber, Kirksville City Manager, was willing to work with the County. He stated that he was also going to speak with the City Council.

Commissioner Adams stated that this situation had put our local business at a disadvantage.

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ATTEST: Sandra Collop — County Clerk
Stan Pickens — Presiding Commissioner