

ADAIR COUNTY COMMISSION MINUTES
TUESDAY, JULY 30, 2013
14TH DAY JULY REGULAR

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

The Commission met with Adair County Prosecuting Attorney, Matt Wilson, to discuss the Law Enforcement Restitution Fund Resolution. Also present was Bill King Operations Section Chief – Adair County Sheriff's Department.

The resolution was originally established on June 29, 2009, but a committee had never been asked, until now, to act as a board of trustees for the fund. Mr. Wilson stated that the original resolution stated how the board members would be appointed, but did not address the length of their terms. Mr. Wilson recommended that the Commission amend or add an addendum to establish a time frame for the committee members. It was agreed that the length of each term should be staggered so the committee would not result in having a complete turnover of members. Each member should have the option to resign at any time.

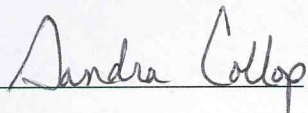
One of the goals of the resolution was to address the situation of minors in possession of alcohol. At present, repercussions of this offense could be devastating and felt that we did not want to label these peoples as criminals. His recommendations for first offense minors in possession of alcohol would include 1) twenty-five hours of community service for a non-profit institution; 2) attend an alcohol awareness class; and 3) pay a \$200 to \$300 donation to the Adair County Restitution Fund. Similar recommendations would pertain to first offenses for possession of drug paraphernalia and marijuana. Second offenses for both would result in the individual going to court, being on probation, and making another donation to the Adair County Restitution Fund. Mr. Wilson also mentioned that Judge Swaim may utilize the Restitution Fund for cases involving driving while intoxicated. He stated that we are the only county in the circuit that doesn't use the fund.

Mr. Wilson stated that he, as well as Judge Swaim and Sheriff Hardwick, were in support of the use of the fund. Individuals could possibly have three months to complete their recommendations. The court system would be the entity to collect the money and give it to the Adair County Treasurer for deposit into a separate fund. The fund would have a budget established and upon the approval of a majority of the members of the board, the only money being expended would be for purposes provided by subsection 3 of section 50.565, RSMo. The Prosecuting Attorney's office has also requested 20% – 30% of the funds for reimbursement of their expenses and possibly training.

Mr. Wilson stated he would draft an amendment to the restitution fund for review of the Commission by the beginning of next week. The Commission would need to establish a creation date and terms of office for the trustees of the board.

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ATTEST:



County Clerk



Presiding Commissioner