

ADAIR COUNTY COMMISSION MINUTES
MONDAY, JUNE 29, 2015
24TH DAY APRIL ADJOURNED

The Adair County Commission convened at 8:30 a.m. on June 29, 2015 in the Courthouse at Kirksville. All Commissioners were present.

At 9:00 a.m., the Commission met with Adair County Prosecuting Attorney, Matt Wilson. Also present were Adair County Sheriff, Robert Hardwick, and Sheriff Department's Operations Section Chief, Bill King. KTVO Television was also represented.

Mr. Wilson began by reviewing paperwork the Commission had given him regarding maintenance records for the past seven years on Laske Trail. Maintenance records exist for prior years, but were not supplied at this meeting. The Commission stated the County has been maintaining the road (grading and graveling) for the past several years and therefore feels it is a County Road. Mr. Wilson stated he was not sure that was the case.

Commissioner Pickens stated that once the road was brought up to standards, then it automatically turned into a County Road. However, per one resident on Laske Trail, the drive area is private and they want the County to stop maintaining it.

Commissioner Thompson stated that at a recent training meeting, Commissioners were informed that if a County maintains a road for a certain period of time then it becomes a County road. Commissioner Thompson said he would supply Mr. Wilson with the statutes. Mr. Wilson said he could then research case law regarding the issue. He also plans to talk with the Adair County Assessor, Donnie Waybill, and the attorney for the residents disputing the road maintenance.

Mr. Wilson asked Sheriff Hardwick to accompany him to the site in order to walk the legal description of the land to determine where the property line begins and ends. Then it could be determined if the legal description contained the road in dispute. Mr. Wilson will also talk with Adair County Recorder, Pat Shoush, regarding any documentation that may have been recorded. The Commission stated they had also been talking with the Recorder, but hadn't found any information at this time. Mr. Wilson felt that a cordial outcome could be obtained from all parties.

Mr. Wilson will draft a letter to the attorney of the disputing residents stating he had met with the County Commission and was moving forward to a solution for the disagreement. Mr. Wilson suggested to the County Commission, that the Adair County Road and Bridge Department discontinue all maintaining of Laske Trail until the dispute had been settled.

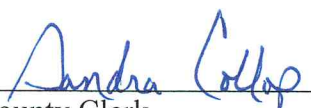
Adair County Clerk, Sandra Collop, informed the Commission that on Friday, June 26, 2015, a ruling had been received from the Honorable Gary Oxenhandler regarding the hearing of June 17, 2015. Please see ruling of the Court.

At 1:34 p.m., the Adair County Commission adopted the following resolution:

BE IT RESOLVED that this meeting be continued in closed session, with closed records and closed votes as permitted by law, for consideration of the following items as authorized by section 610.021.1 of the Missouri statutes:

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ATTEST:


County Clerk


Presiding Commissioner