

ADAIR COUNTY COMMISSION MINUTES

TUESDAY, MAY 24, 2016

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Discussion under Subsection 1 of the statute for “Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of actions or litigation involving a public governmental body or” ... and

BE IT FURTHER RESOLVED that if any business not covered by the stated reason or reasons for the closed session is raised during the closed session, that such business will be postponed until this meeting is reopened to the public and the sign for a closed meeting is removed from the doors of the Commission office. Present at the meeting were Presiding Commissioner Pickens; Commissioner Adams; Adair County Clerk, Sandra Collop; and via telephone Adair County Legal Counsel, Ivan Schraeder of Lowenbaum Law. So motioned by Commissioner Adams and seconded by Presiding Commissioner Pickens at 12:15 p.m. on Tuesday, May 24, 2016.

Closed session ended at 12:30 p.m.

The Commission spent the rest of the day attending to County business.

The Adair County Commission adjourned at 4:00 p.m. on May 24, 2016.

IN REF. ORDER NO 12 Petition for Declaratory Judgment regarding Laske Trail

<p style="text-align: center;">IN THE CIRCUIT COURT OF ADAIR COUNTY, MISSOURI</p> <p>ADAIR COUNTY, MISSOURI,) Plaintiff,) v.) KEVIN BAIRD, and) KELLY BAIRD, and) BANK OF KIRKSVILLE, and) JUAN BOLANOS, and) JOHANNA M. BOLANOS, and) JOSEPH D. TILINSKI, and) AMERICAN TRUST BANK, and) NORTHEAST MISSOURI RURAL) TELEPHONE COMPANY,) Defendants.)</p> <p style="text-align: center;">Case no.:</p> <p style="text-align: center;">PETITION FOR DECLARATORY JUDGMENT</p> <p>COMES NOW, Adair County, Missouri, Plaintiff herein, by and through the Adair County Prosecuting Attorney's Office, and for its Petition for Declaratory Judgment, states as follows:</p> <ol style="list-style-type: none"> 1. This Court has subject matter jurisdiction over this cause of action under Rule 87. See also, §527.010, et seq., RSMo. 2. Plaintiff is, and at all times material to this action was, a political subdivision of the State of Missouri, under Mo. Const., art. VI, §1, and §46.050 RSMo. 3. Plaintiff is, and at all times material to this action was, a County of the Third Class of the State of Missouri, under Mo. Const., art. VI, §8, and §48.020 RSMo. <p style="text-align: center; font-size: small;">Page 1 of 6</p>	<p style="text-align: center;">RECEIVED MAY 24 2016 ADAIR COUNTY CLERK</p> <p style="text-align: center; font-size: 2em; opacity: 0.5;">COPY</p> <ol style="list-style-type: none"> 4. Plaintiff has standing to bring this action under Rule 87.02. See also, Rule 87.05. 5. Defendant Kevin Baird is a resident of Adair County, Missouri, residing at 17544 Laske Trail, Kirksville, Missouri, and may be served there. 6. Defendant Kelly Baird is a resident of Adair County, Missouri, residing at 17544 Laske Trail, Kirksville, Missouri, and may be served there. 7. Defendant Bank of Kirksville conducts business in Adair County, Missouri, and may be served at 214 S. Franklin Street, Kirksville, Missouri. 8. Defendant Juan Bolanos is a resident of Adair County, Missouri, residing at 1700 N. New Street, Kirksville, Missouri, and may be served there. 9. Defendant Johanna M. Bolanos is a resident of Adair County, Missouri, residing at 1700 N. New Street, Kirksville, Missouri, and may be served there. 10. Defendant Joseph D. Tilinski is a resident of Adair County, Missouri, residing at 26389 State Highway P, Kirksville, Missouri, and may be served there. 11. Defendant American Trust Bank conducts business in Adair County, Missouri, and may be served at 2817 N. Baltimore Street, Kirksville, Missouri. 12. Defendant Northeast Missouri Rural Telephone Company conducts business in Adair County, Missouri, and may be served through its registered agent, James E. Sherburne, 718 S. West Street, Green City, Missouri. 13. Venue is proper in this Court under §508.010.2(2) RSMo, as Adair County, Missouri is the residence of the defendants herein who are individual persons. 14. Venue is proper in this Court under §508.030 RSMo, in that the real property that is the subject matter of this action is located in Adair County, Missouri. <p style="text-align: center; font-size: small;">Page 2 of 6</p>
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ATTEST: Sandra Collop County Clerk Stanley Pickens Presiding Commissioner