

**ADAIR COUNTY COMMISSION MINUTES
WEDNESDAY, SEPTEMBER 18, 2013
20TH DAY JULY ADJOURNED**

The Adair County Commission convened at 8:30 a.m. on September 18, 2013 in the Courthouse at Kirksville. All Commissioners were present.

Commissioner Adams moved to accept Ordinance No. 2013-9, An Ordinance Authorizing Procedures to Enact a County-Wide Burn Ban Pursuant to the Authority of State law and Section 49.266 RSMO. Commissioner Thompson seconded the motion with all in favor. Burn ban violators will be subject to a minimum fine of \$250.00 up to the maximum allowed by a class A misdemeanor. Additionally, restitution for services provided will be awarded to the responding fire department(s).

Commissioner Adams moved that Adair County would no longer fund or financially honor Matt Holt's position as Court Services Administrator. Commissioner Thompson seconded the motion with all in favor. Clarification was submitted to the County Clerk's office in a letter dated October 11, 2005 from Judge Steele that stated Mr. Holt would be a circuit employee rather than a county employee. Additionally, there is no mandate for a third class county to maintain the position of Court Services Administrator. A letter will be sent to Mr. Holt stating that as of the close of business on October 1, 2013, he would no longer be receiving financial compensation from Adair County.

At 1:30 p.m., the Commission met with Adair County Sheriff, Robert Hardwick; Operations Section Chief, William King; Senior Detention Officer, John Axsom; and Finance Coordinator, David Hurt, all of the Sheriff's Department. Sheriff Hardwick stated the he and his staff had reviewed the health care bids. He was satisfied with the service CHC Correctional Healthcare has provided in the past and wanted to remain with this company to be their provider. Commissioner Adams then moved to award the bid to CHC Correctional Healthcare. Commissioner Thompson seconded the motion with all in favor. The Sheriff's Department will notify all bidders to the outcome of the decision.

The Commission spent the rest of the day attending

The Adair County Commission adjourned at 4:00

IN REF. ORDER NO 19 Adair County Burn Ban

AN ORDINANCE AUTHORIZING PROCEDURES TO ENACT
A COUNTY-WIDE BURN BAN PURSUANT TO THE AUTHORITY OF
STATE LAW AND SECTION 49.266 RSMO
ORDINANCE NO. 2013-9


BE IT ORDAINED BY THE COUNTY COMMISSION OF ADAIR COUNTY,
MISSOURI, AS FOLLOWS:

WHEREAS, the County Commission of Adair County, Missouri, is authorized to enact ordinances to promote and enhance the public health, safety and general welfare of individuals within Adair County, Missouri; and

WHEREAS, Section 49.266 RSMO authorizes the enactment of a County-wide ban of open fires pursuant to the provisions of that Statute;

1. It shall be unlawful to knowingly start, initiate, cause, permit, or conduct a fire on property located in Adair County, Missouri, excluding outdoor grills utilized for cooking purposes. Violation of this Ordinance shall be a class A misdemeanor as defined by State Law.
2. Each violation of an open burning ban imposed under this Ordinance shall be considered a separate offense for each day or part of the day in which the violation is committed.
3. The Adair County Commission may enact a County-wide burn ban upon a determination by the State Fire Marshall that a burn ban order is appropriate for Adair County pursuant to the provisions of Section 49.266.3 RSMO
4. State agencies responsible for fire management or fire suppression activities and persons conducting agriculture burning using best management practices as defined by the Missouri Department of Conservation, shall not be subject to the provisions of this Ordinance.
5. This Ordinance shall not affect the ability of an individual, organization, or corporation to sell fireworks during the period of a burn ban but it does prohibit the usage of all missile and skyrocket devices.
6. Each Order imposed under this Ordinance shall state the conditions which warrant such county-wide burn ban and notice shall be provided to the general public of the enactment of the burn ban.
7. Prior to enacting a County-wide burn ban, the Commission must receive information of the condition precedent established in Section 49.266.3 RSMO.
8. Any burn ban imposed under this Ordinance shall remain in effect for a period not to exceed thirty (30) days. However, the Adair County Commission may extend or rescind the ban if necessary.

ATTEST:


County Clerk


Presiding Commissioner