

**ADAIR COUNTY COMMISSION MINUTES
TUESDAY, SEPTEMBER 3, 2013
13TH DAY JULY ADJOURNED**

The Adair County Commission convened at 8:30 a.m. on September 3, 2013 in the Courthouse at Kirksville. All Commissioners were present. The Adair County Courthouse was closed on September 2, 2013 in observance of Labor Day.

Commissioner Adams moved to hire Ivan Schraeder of Lowenbaum Partnership L.L.C. as legal counsel for Adair County to represent the County in proceedings with the 2nd Judicial Court System. Commissioner Thompson seconded the motion with Presiding Commissioner Stanley Pickens in favor.

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

The Adair County Commission adjourned at 4:00 p.m. on September 3, 2013.

IN REF. ORDER NO 9 Adair County Clerk Fees for August, 2013

IN REF. ORDER NO 10 Add-Ons and Releases for August, 2013

IN REF. ORDER NO 11 Adair County Collector Fees for August, 2013

IN REF. ORDER NO 12 County/MAC Group Prepaid Legal Services Agreement

RECEIVED
AUG 29 2013

COUNTY/MAC GROUP PREPAID LEGAL SERVICES AGREEMENT

This AGREEMENT made this 21 day of August 2013 by and between Adair County, with its principal place of business in KIRKSVILLE County, Missouri (hereinafter "Subscribing County"), and the Missouri Association of Counties, Inc., a general not-for-profit company incorporated and organized and existing under the laws of the State of Missouri with its principal place of business at 516 East Capitol, Jefferson City, Missouri 65101 (hereinafter "MAC").

WHEREAS, Subscribing County desires to obtain the delivery of prepaid group legal services through the MAC Program with Attorney Ivan L. Schraeder (hereinafter "Attorney"); and

WHEREAS, MAC desires to provide access to Subscribing County to the prepaid group legal services acquired for its members with special rates available on a guaranteed basis from an attorney who relates to local governmental issues; and

WHEREAS, the MAC Board of Directors, meeting in regular session, has authorized MAC to enter into a contract with Attorney to provide member counties with access to prepaid group legal services.

NOW, THEREFORE, in consideration of the mutual promises, agreements, undertakings and covenants hereinafter set forth, the parties hereto agree as follows:

1. **Legal Services to be Rendered by Attorney:** Attorney has agreed with MAC to provide the following services for MAC subscribing members pursuant to an agreement with predetermined fee arrangements identified in this Agreement.

A. The services and associated fees are as follows:

i. Subscribing County is entitled to a non-cumulative ten (10) hours per month for advisory or opinion legal services under the monthly enrollment fee as the services are provided either by telephone and/or written communication by Attorney.

ii. Hours in excess of the non-cumulative ten (10) hours per month for advisory or opinion work are to be charged at a fixed reduced rate of \$75.00 per hour for services identified in subsection (i) above. The additional amounts for extra hours of work for subsection (i) services are payable by the Subscribing Counties directly to the Firm as and when billed.

iii. Subscribing Counties which desire other services including representation in litigation or other non-subsection (i) services beyond the base services identified in subsections (i) and (ii), are charged at an hourly rate to be determined annually, which hourly rate shall be at 80% of Schraeder's regular hour rate or as agreed by project plus expenses for matters commenced through the life of the contract. The amounts are payable by the Subscribing Counties directly to the Firm as and when billed. A separate engagement letter between the Firm and the individual Subscribing Counties will govern each of these additional services as the services are requested and obtained.

B. Subscribing County shall be entitled to attend periodic legal update seminars without fee provided by Attorney in MAC/Attorney-selected sites at no registration fee payable. MAC/Attorney shall determine the number and location of the seminars periodically. Non-Subscribing Counties shall be required to pay a fee to Attorney and MAC to attend.

C. **Services Not Included:**
The following legal services are not available because they may create a conflict of interest among MAC, Attorney and Subscribing County:
A list of services not available are: 1) no legal action between MAC and a MAC member County; 2) no action in disputes between the County Commission of a Subscribing County and other individually elected county officials of the Subscribing County; 3) no actions related to salary issues of county elected officials; 4)

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ATTEST:

Dandra Collop
County Clerk

Stanley Pickens
Presiding Commissioner