



# Christian County Commission

100 West Church St, Room 100  
Ozark, MO 65721

<http://ChristianCountyMO.iqm2.com>

July Term

~ Minutes ~

Tuesday, July 25, 2017

8:50 AM

The Christian County Courthouse

## I. Convene

The meeting was called to order at 8:50 AM by Presiding Commissioner Ray Weter

| Attendee Name  | Title                  | Status  | Arrived |
|----------------|------------------------|---------|---------|
| Ray Weter      | Presiding Commissioner | Present | 8:50 AM |
| Ralph Phillips | Eastern Commissioner   | Present | 8:50 AM |
| Hosea Bilyeu   | Western Commissioner   | Present | 8:50 AM |
| Krista Cronin  | Deputy Clerk           | Present | 8:50 AM |
| Malinda Young  | Assistant              | Present | 8:50 AM |

## II. Establish Quorum

### **Motion/Vote - 8:50 AM Christian County Commission**

Discussion - 07-25-17-1 Approve Agenda

Attendees: Ashley Hannah, Richard Teague, Michelle Walker, Barb Stillings, Frances Watson - KSPR, Ben Knaup - KSPR, Charles Cameron, Thomas Gounley - Springfield News-Leader, Robert Palmer, Nate Papes - Springfield News-Leader, Ken Hurley, Recorder Kelly Hall, Julie Harlan, Amy Dent, Amy Zacek-Smith, Leo Snelling - Purchasing Director, Keith Robinette CPA, Amelia Wigton - Christian County Headliner, Paul Lawrence - Mechsner Lawrence Co LLC, Cindy Childress, Sheriff Brad Cole, Captain Thomas Koch, Todd Wiesehan - Resource Management Director, Daniel Shedd - KOLR10, Collector Ted Nichols, Clerk Kay Brown, Judge Laura Johnson

Presiding Commissioner Weter noted the presence of a quorum, and then entertained a motion to approve the agenda for today's emergency session as published.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>             |
| <b>MOVER:</b>    | Ralph Phillips, Eastern Commissioner    |
| <b>SECONDER:</b> | Hosea Bilyeu, Western Commissioner      |
| <b>AYES:</b>     | Ray Weter, Ralph Phillips, Hosea Bilyeu |

### **Motion/Vote - 8:55 AM Christian County Clerk Kay Brown**

Minutes & Financials Approval - 07-25-17-2 Approve Minutes & Financials

Attendees: Ashley Hannah, Richard Teague, Michelle Walker, Barb Stillings, Frances Watson - KSPR, Ben Knaup - KSPR, Charles Cameron, Thomas Gounley - Springfield News-Leader, Robert Palmer, Nate Papes - Springfield News-Leader, Ken Hurley, Recorder Kelly Hall, Julie Harlan, Amy Dent, Amy Zacek-Smith, Leo Snelling - Purchasing Director, Keith Robinette CPA, Amelia Wigton - Christian County Headliner, Paul Lawrence - Mechsner Lawrence Co LLC, Cindy Childress, Sheriff Brad Cole, Captain

Thomas Koch, Todd Wiesehan - Resource Management Director, Daniel Shedd - KOLR10, Collector Ted Nichols, Clerk Kay Brown, Judge Laura Johnson

Presiding Commissioner Weter entertained a motion to approve the regular session minutes from July 20, 2017.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>             |
| <b>MOVER:</b>    | Hosea Bilyeu, Western Commissioner      |
| <b>SECONDER:</b> | Ray Weter, Presiding Commissioner       |
| <b>AYES:</b>     | Ray Weter, Ralph Phillips, Hosea Bilyeu |

### III. Agenda

#### **Motion/Vote - 9:00 AM Christian County Commission**

Discussion - 07-25-17-3 Emergency Meeting-Interim Auditor Appointments

Attendees: Ashley Hannah, Richard Teague, Michelle Walker, Barb Stillings, Frances Watson - KSPR, Ben Knaup - KSPR, Charles Cameron, Thomas Gounley - Springfield News-Leader, Robert Palmer, Nate Papes - Springfield News-Leader, Ken Hurley, Recorder Kelly Hall, Julie Harlan, Amy Dent, Amy Zacek-Smith, Leo Snelling - Purchasing Director, Keith Robinette CPA, Amelia Wigton - Christian County Headliner, Paul Lawrence - Mechsner Lawrence Co LLC, Cindy Childress, Sheriff Brad Cole, Captain Thomas Koch, Todd Wiesehan - Resource Management Director, Daniel Shedd - KOLR10, Collector Ted Nichols, Clerk Kay Brown, Judge Laura Johnson, Phil Amtower - EMA Director

The Commission met for an emergency meeting regarding an interim auditor appointment. Judge Laura Johnson and the Commission discussed the shared responsibility of appointing an interim auditor, referencing RsMO 49.101, which states: In the event of a vacancy in the county offices of county clerk, county auditor, and county assessor, whether such vacancy is by reason of death, resignation, removal, refusal to act, or any other reason, the county commission shall appoint an interim county official to discharge the duties of the office until the governor appoints a successor as provided under state law. At the time of the appointment of a replacement by the governor, the interim appointment shall expire. Such interim appointment by the county commission shall provide the interim county official with all of the protections, bonding requirements, tenants, and other provisions relating to such office. Judge Johnson also referenced two statutes in regards to the criminal petitions against Lacey Hart. The statutes are as follows: RsMO 55.290: Charges preferred, how (second class and certain first class counties). — Charges may be preferred against the auditor of any county of the first class not having a charter form of government or of any county of the second class, and he may be prosecuted, suspended and removed from office in the same manner and form as now provided by law for preferring charges, suspending and removing from office clerks of courts of record. RsMO 483.170: Duty of court when clerk is charged with misdemeanor in office — notice — temporary clerk during suspension. — 1. When any court shall believe from its own knowledge or from

information secured from others given to the court under oath or affirmation, that the clerk of the court has committed some act or acts constituting a misdemeanor in office, the court shall give notice thereof, stating the charge or charges against such clerk, to the attorney general of the state or the prosecuting attorney of the county, requiring him to prosecute the same; and such court may by order of record suspend such clerk from office until a trial upon such charge or charges can be had.

2. Pending such suspension, the court shall appoint some person possessing the qualifications required for the regular clerks of such court to act and perform the duties of the clerk of said court. Before entering upon the duties of his office such temporary clerk shall take and subscribe an oath or affirmation and give bond as required for clerks of said courts. Such temporary clerk shall possess the same powers and perform the same duties as provided for clerks of the court to which they are appointed, and shall continue in office until the regular clerk of such court shall resume his office, or his successor shall be duly elected and qualified, as the case may be.

3. Provided, however, that when the court shall prefer charges against the clerk of any court as herein provided the said clerk shall remain in possession of and continue to perform the duties of this office by giving bond to the state with at least two solvent sureties, the amount of said bond to be fixed and the bond to be approved by the chief or presiding judge of the court, conditioned that said clerk and his sureties shall pay all costs, damages and fines which may be assessed against him upon his trial; and if said clerk shall fail to furnish said bond within fifteen days after receiving notice to do so, his suspension shall become fully effective and he shall surrender up his said office to the temporary clerk.

Judge Johnson suggested that she and the Commission work together to reach a consensus of who the interim auditor should be, and discussion was held. Purchasing Director Leo Snelling reported that as of this morning there are approximately 140 outstanding requisitions awaiting action by the Auditor. Discussion was held, and Western Commissioner Bilyeu moved to appoint Cole Ewing as the interim deputy auditor with the intent to receive resumes for the interim auditor's position within the next seven days, and allow the applicants to make a brief presentation, after which consideration will be made with Judge Johnson on the decision for that position. The presentations are scheduled for Monday, July 31, 2017.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>             |
| <b>MOVER:</b>    | Hosea Bilyeu, Western Commissioner      |
| <b>SECONDER:</b> | Ralph Phillips, Eastern Commissioner    |
| <b>AYES:</b>     | Ray Weter, Ralph Phillips, Hosea Bilyeu |


#### **IV. Adjournment**

The meeting was closed at 9:52 AM  
**9:52 AM**

Adjourn

Attendees: Ashley Hannah, Richard Teague, Michelle Walker, Barb Stillings, Frances Watson - KSPR, Ben Knaup - KSPR, Charles Cameron, Thomas Gounley - Springfield News-Leader, Robert Palmer, Nate Papes - Springfield News-Leader, Ken Hurley, Recorder Kelly Hall, Julie Harlan, Amy Dent, Amy Zacek-Smith, Leo Snelling - Purchasing Director, Keith Robinette CPA, Amelia Wigton - Christian County Headliner, Paul Lawrence - Mechsner Lawrence Co LLC, Cindy Childress, Sheriff Brad Cole, Captain Thomas Koch, Todd Wiesehan - Resource Management Director, Daniel Shedd - KOLR10, Collector Ted Nichols, Clerk Kay Brown, Judge Laura Johnson, Phil Amtower - EMA Director

Presiding Commissioner Weter said we are adjourned.

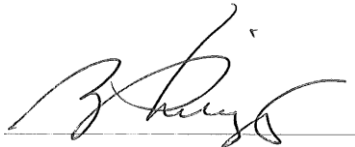


Presiding Commissioner, Ray Weter



Hosea Bilyeu

Western Commissioner, Hosea Bilyeu



Ralph Phillips

Eastern Commissioner, Ralph Phillips