

DEFEATED JAN 27 2024

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION requesting the Missouri State Auditor to conduct an expedited review of the actions taken by Jackson County's Department of Finance and Purchasing, Budget Office uploading the 2024 adopted budget for 2025 and not the duly adopted budget by the Legislature on December 31, 2024.

RESOLUTION NO. 21849 January 27, 2025

INTRODUCED BY Sean E Smith, County Legislator

WHEREAS, both Missouri Revised Statute Section 50.610 and Jackson County Code Section 530.1 requires the adoption of an annual budget by December 31, of the preceding year; and,

WHEREAS, on December 31, 2024, the County Legislature passed Ordinance 5902 adopting the Jackson County 2025 annual budget (as amended); and,

WHEREAS, Article 2, Section 12 of the Jackson County Charter explicitly limits the County Executive's veto authority in the case of appropriations as follows: "In the case of county ordinances appropriating money the County Executive may object to one or more items or portions of items while approving other portions, in which case the approved items or portions shall take effect and the items or portions objected to shall be reconsidered separately"; and,

WHEREAS, on January 9, 2025, the County Executive transmitted a generalized veto of Ordinance 5902 which exceeded his lawful authority; and,

WHEREAS, on January 14, 2025, the County Executive directed the staff to utilize the

2024 approved budget for 2025; and,

WHEREAS, on January 17, 2025, the County Budget Administrator informed the County Legislature “The Budget for 2025 is now available”; and,

WHEREAS, RSMo Section 50.620 and County Code Section 530.2 provide for only “Payroll, Operations and Maintenance” expenses can leverage a prior year’s budget temporarily, “If at the termination of any fiscal year in counties of classes one and two the appropriations necessary for the support of the government for the ensuing year have not been made”; and,

WHEREAS, the budget uploaded by the Budget Administrator as directed by the County Executive included items that would not be lawfully permitted as “Payroll, Operations and Maintenance”; now therefore,

BE IT RESOLVED that the Jackson County Legislature hereby supports a review by the Missouri State Auditor as it relates to the budgetary authority of the County Executive to proffer a complete veto of the budget, whether the budget as amended by the Legislature on December 31, 2024, is now the lawful appropriation for 2025 and whether by including all items including capital items from the 2024 budget the Administration has exceeded their lawful authority; and,

BE IT FURTHER RESOLVED that the Jackson County Legislature desires the Missouri State Auditor to determine if any actual expenditures made in 2025 were unlawfully made

due to the County Executives direction to utilize the 2024 budget.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 21849 of January 27, 2025, was duly ~~passed~~ *defeated* on January 27, 2025 by Jackson County Legislature. The votes thereon were as follows:

Yeas 4

Nays 5

Abstaining 0

Absent 0

DEFEATED JAN 27 2024

1-27-2025
Date

Mary Jo Spino
Mary Jo Spino, Clerk of Legislature