



Jackson County Missouri

Jackson County Courthouse
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Legislation Details (With Text)

File #: 10981 **Version:** 0 **Name:** Anthony Barber v. JaCo
Type: Resolution **Status:** Defeated
File created: 10/16/1995 **In control:** Clerk of the County Legislature
On agenda: **Final action:** 10/16/1995
Title: Urging the Jackson County Ethics Commission to appeal from the order of the Circuit Court of Jackson County, dated October 6, 1995, in the case of Anthony Barber v. Jackson County Ethics Commission, No. CV95-16912.
Sponsors: Dixie M. Flynn
Indexes: CIRCUIT COURT, ETHICS COMMISSION
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
10/16/1995	0	County Legislature	adopt	Fail

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION urging the Jackson County Ethics Commission to appeal from the order of the Circuit Court of Jackson County, dated October 6, 1995, in the case of Anthony Barber v. Jackson County Ethics Commission, No. CV95-16912.

RESOLUTION # 10981, October 16, 1995

INTRODUCED BY Dixie Flynn, County Legislator

WHEREAS, on October 6, 1995, the Circuit Court of Jackson County, in the case of Anthony Barber v. Jackson County Ethics Commission, No. CV95-16912, entered an order holding that the Ethics Commission "is without authority to exercise subpoena power;" and,

WHEREAS, the desire for an independent Ethics Commission, with subpoena power, to investigate complaints of ethics violations and conflicts of interest was the driving force behind the Jackson County voters' adoption of the amendment to the Jackson County Charter which created the commission; and,

WHEREAS, the circuit court's decision calls into serious question the Legislature's own subpoena power set forth in Article II, 16.35 of the Charter, and that of the Jackson County Commission on Human Relations and Citizen Complaints set out in Article X, 4 of the Charter; and,

WHEREAS, without subpoena power, the Ethics Commission cannot perform all of the duties which the citizens expect of it and by their vote mandated that it perform; and,

WHEREAS, it is the best interest of the health, welfare, and safety of the citizens of Jackson County that the circuit court's decision be appealed to the Missouri Court of Appeals, Western District; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the Legislature urges the Ethics Commission to appeal from the decision of the Circuit Court of Jackson County, dated October 6, 1995, in the case of Anthony Barber v. Jackson County Ethics Commission, No. CV95-16912...Attorney

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 # 10981 of October 16, 1995 was duly passed on _____, 1995 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____ Nays _____

Abstaining _____ Absent _____

Date _____

Mary Jo Brogato, Clerk of Legislature