

Jefferson County Charter Commission
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September 25, 2008

Mr. Wes Wagner
County Clerk Jefferson County, Missouri
P.O. Box 100
729 Maple
Hillsboro, MO 63050

FILED

SEP 26 2008

WES WAGNER
COUNTY CLERK OF JEFFERSON COUNTY, MO.

Re: Charter

Dear Wes:

Please find attached the corrected copy of the Jefferson County Charter to be submitted to the voters in November of 2008. This copy corrects some typographical errors that had been discovered in the previous copy that had been filed with you.

Sincerely,


Derrick Good


Dennis Tesreau

SEP 26 2008

WES WAGNER
COUNTY CLERK OF JEFFERSON COUNTY, MO.

HOME RULE CHARTER OF JEFFERSON COUNTY, MISSOURI

PREAMBLE

To secure the benefits of home rule and self determination, and to establish a government that will be both efficient and responsive, we the citizens of Jefferson County, Missouri, establish and adopt this Charter.

ARTICLE I.

CORPORATE NAME, BOUNDARIES, POWERS, AND DEFINED TERMS

SECTION 1.1. NAME

The county is referred to in this Charter as "the County" or "Jefferson County", but its official name is "Jefferson County, Missouri".

SECTION 1.2. NATURE AND LEGAL CAPACITY

Jefferson County is a body corporate and politic.

SECTION 1.3. BOUNDARIES

The boundaries of Jefferson County upon adoption of this Charter are the same boundaries as immediately before such adoption. The boundaries of Jefferson County may thereafter change only as prescribed by Missouri Law.

SECTION 1.4. COUNTY SEAT

The seat of the County Government is to be in the City of Hillsboro, Missouri.

SECTION 1.5. POWERS

1.5.1. Except as explicitly limited in this Charter or prohibited by the Missouri Constitution, Jefferson County has all the powers of a county of the State of Missouri of whatever class and all the powers of all offices, agencies and departments of counties of the State of Missouri of whatever class. These powers include those provided by Missouri Law when this Charter was adopted and those provided by any Missouri Law adopted later.

1.5.2. Jefferson County has all powers necessary or incidental to the exercise of any other power.

1.5.3. The explicit stating of a power in this Charter or in any Missouri Law is not to be construed as limiting or denying any other power.

SECTION 1.6. LIMITATIONS OF POWERS

1.6.1. Except as explicitly stated in this Charter, Jefferson County does not have any powers respecting the governance or operations of Municipalities or Special Districts that first class counties of the State of Missouri not having a charter form of government do not possess under Missouri Law.

1.6.2. Jefferson County may not discriminate on the basis of race, creed, color, age, religion, national origin, gender, disability, or union membership or non-membership.

1.6.3. Jefferson County may not abridge any rights of the people that are protected by the Missouri Constitution or the Constitution of the United States of America.

1.6.4. Jefferson County may not impose any tax that is not explicitly authorized by Missouri Law to be imposed by first class counties of the State of Missouri.

1.6.5. Jefferson County may not impose or increase any tax except pursuant to a proposition submitted for approval of Citizens at a regular or special election that is approved by at least a majority of the votes cast on the proposition.

1.6.6. Jefferson County may not enter into any contract for the performance of work for Jefferson County unless the contract requires that all workers performing work under the contract are paid a wage that is at least the prevailing hourly rate of wages for work of a similar character in the locality in which the work is performed.

1.6.7. The power of eminent domain may not be exercised by Jefferson County to take property for any use except strictly in accordance with Missouri Law. Jefferson County may not declare blighted for the purpose of exercising eminent domain any real property primarily used for agricultural or horticultural purposes. The power of eminent domain may not be exercised by Jefferson County to take property solely for the purpose of enhancing tax revenues. The power of eminent domain may not be exercised by Jefferson County to take property for public use unless the taking is authorized by an Ordinance by the affirmative vote of 4/7^{ths} of All Council Votes, subject to the power of the County Executive to veto the Ordinance as provided in this Charter, which veto may be overridden only by the affirmative vote of 2/3^{ths} of All Council Votes. The power of eminent domain may not be exercised by Jefferson County to take property primarily for economic development purposes unless (1) the taking is authorized by an Ordinance by the affirmative vote of 5/7^{ths} of All Council Votes, subject to the power of the County Executive to veto the Ordinance as provided in this Charter, which veto may be overridden only by the affirmative vote of 3/4^{ths} of All Council Votes, (2) the owner of the property taken is paid compensation for the taking equal to the highest of (a) twice the fair market value of the property as determined in accordance with Missouri Law governing condemnation awards, or (b) the amount of compensation required to be paid under Missouri Law, or (c) if the property taken includes a regularly occupied single family residence, the cost of reconstructing a new residence of like kind and quality on substantially similar land, and (3) if the property taken is regularly occupied by one or more Persons, whether owners or tenants, they are paid relocation expenses that are the higher of \$1200 per individual or twice the amount of the actual relocation expenses incurred by them. For purposes of this Section, the taking of property primarily for economic development purposes is not to be deemed a taking for public use.

SECTION 1.7. DEFINED TERMS

In this Charter, these capitalized words have these meanings:

1.7.1. *Administrator Supervised*: supervised by the Director of Administration after the Transition Period as provided in this Charter pursuant to policies established by the County Executive.

1.7.2. *All Council Votes*: the number of votes that would be cast by Council Members on any matter if no Council Members' seats were vacant and all Council Members were present and voting.

1.7.3. *Bill*: a proposition to enact an Ordinance that is introduced by a Council Member or Council Members for consideration for adoption by the County Council as provided in this Charter.

1.7.4. *Building Codes*: codes, standards and regulations relating to architectural and engineering design, electrical installation, fire prevention, air and water pollution, and waste water and sewage treatment plant construction and installation, mechanical codes and standards, codes and standards affecting

plumbing and pressurized pipe installation, and other codes, standards and regulations relating to the construction of public or private facilities or structures.

1.7.5. *Citizen:* a Person who is a citizen of the United States of America under the Law.

1.7.6. *County Council:* The Jefferson County, Missouri, Council that is the legislative body of Jefferson County as provided in this Charter.

1.7.7. *Council District:* each district of Jefferson County from which there is to be a member of the County Council elected as provided in this Charter.

1.7.8. *Council Member:* A Person serving as a member of the County Council as provided in this Charter.

1.7.9. *County Executive:* The Person who holds the office of County Executive as provided in this Charter.

1.7.10. *County Government:* The County Council, the County Executive, the Director of Administration, all County Officers, all Departments and their Divisions, and all boards and commissions established as provided in this Charter or pursuant to Missouri Law..

1.7.11. *County Officer:* the County Executive, a Council Member, or any other Person who holds an elected or appointed County Office provided for in this Charter or by Ordinance adopted as provided in this Charter.

1.7.12. *Department:* The governmental functions and the Persons performing those governmental functions for which an elected or appointed officer has responsibility as provided in this Charter or as provided by an Ordinance adopted as provided in this Charter.

1.7.13. *Division:* The governmental functions and the Persons performing those functions within a Department that are split from other governmental functions and Persons performing those other governmental functions within a Department as provided by an Ordinance adopted as provided in this Charter.

1.7.14. *Electronic Form:* The storage of a document on any media as a computer file in a commonly used format from which an accurate facsimile of the document can be readily displayed on a screen or printed on paper by use of a computer or other device running reasonably available software.

1.7.15. *Entity:* A corporation, partnership, limited liability company, trust, association or other form of organization that is not a natural person and that has the right under any Law to sue or be sued in its own name.

1.7.16. *Merit System:* The personnel administration system established as provided in this Charter.

1.7.17. *Missouri Constitution:* The Constitution of the State of Missouri.

1.7.18. *Missouri Law:* The Missouri Constitution, the statutes of the State of Missouri, and rules, orders, and regulations issued by departments, divisions, bureaus and agencies of the State of Missouri.

1.7.19. *Municipality:* any city, town, or village established or existing under Missouri Law..

1.7.20. *Law:* Missouri Law and the Constitution of the United States of America, statutes of the United States of America, and rules, orders and regulations issued by departments, divisions, bureaus and agencies of the United States of America.

1.7.21. *Ordinance*: A Bill enacted by the County Council and signed by the County Executive as provided in this Charter, or a Bill enacted by the County Council over the veto of the County Executive as provided in this Charter, or an enactment by Registered Voters as provided in ARTICLE X of this Charter.

1.7.22. *Person*: A natural person, whether male or female.

1.7.23. *Registered Voter*: A Person who is a resident of Jefferson County and is registered to vote in Jefferson County.

1.7.24. *Special District*: any fire protection district, ambulance district, water district, sewer district or other district established or existing under Missouri Law which has the power under Missouri Law to impose or collect a tax on property or sales within that district or which provides utility services within that district, excluding school districts.

1.7.25. *Transition Executive*: a Person serving as Transition Executive as provided in this Charter.

1.7.26. *Transition Period*: the period from the adoption of this Charter until all Transition Executive offices are to be deemed eliminated as provided in this Charter.

ARTICLE II. SEPARATION OF POWERS

The powers of Jefferson County are to be exercised in two separate branches of the County Government: the Legislative and the Executive. Except as explicitly provided otherwise in this Charter, powers conferred on one branch may not be exercised by the other branch.

ARTICLE III. LEGISLATIVE BRANCH

SECTION 3.1. GENERAL POWERS AND DUTIES; NAME

All legislative powers of Jefferson County are vested in a body whose official name is "Jefferson County, Missouri, Council".

SECTION 3.2. COUNCIL MEMBERS

3.2.1. Until January 1, 2011, the County Council is to consist of three Council Members. These three Council Members are to be the two Persons who were elected as Associate Commissioners of Jefferson County at the general election in November, 2008, and the person who was the Presiding Commissioner of Jefferson County when this Charter was adopted. The terms of all three of these Council Members expire on January 1, 2011.

3.2.2. Beginning on January 1, 2011, the County Council is to consist of seven Council Members. One Council Member is to be elected from each of the initial seven Council Districts. The number of Council Members and Council Districts may change after each decennial census as provided in this Charter.

3.2.3. Council Members are to be elected at every general election commencing with the general election in November, 2010. The terms of all Council Members elected at a general election are to commence on the January 1st immediately following the election.

3.2.4. The terms of Council Members are staggered as follows:

3.2.4.1. All Persons who are elected at the general election in November, 2010, from even numbered Council Districts are to serve for terms of two years each. All Persons who are elected at a general election after November, 2010, from even numbered Council Districts are to serve for terms of four years each.

3.2.4.2. All Persons who are elected from odd numbered Council Districts are to serve for terms of four years each.

SECTION 3.3. QUALIFICATION REQUIREMENTS FOR COUNCIL MEMBERS

To be qualified to be elected as a Council Member, a Person must meet the general qualification requirements in Section 12.2 at the time of filing for election and must be a resident of his or her Council District for the twelve months before he or she files for election. To be qualified to serve as a Council Member, a Person must meet the same requirements throughout his or her period of service.

SECTION 3.4. LEGISLATIVE POWERS

3.4.1. The powers of the County Council conferred by this Charter are limited only as provided elsewhere in this Charter and by the Missouri Constitution.

3.4.2. The County Council has all legislative powers conferred by Missouri Law upon counties of the State of Missouri of whatever class and all offices, agencies and departments of counties of the State of Missouri of whatever class. The County Council also has all executive and other powers conferred by Missouri Law upon counties of the State of Missouri of whatever class and all offices, agencies and departments of counties of the State of Missouri of whatever class that are not conferred by this Charter upon the County Executive or other County Officers. The powers of the County Council include but are not limited to powers granted elsewhere in this Charter and the following:

3.4.2.1. Exercise all powers and duties now or hereafter conferred upon counties, County courts, County governing bodies and County Officers by Missouri Law and by this Charter and determine and make provision for any matter of County Government not otherwise provided in this Charter.

3.4.2.2. Set the compensation of members of boards and commissions and of all County Officers and County employees not under the Merit System as provided in this Charter and establish a basic monthly pay plan, including monthly flat rates for full time and part time personnel and session rates, for employees under the Merit System.

3.4.2.3. Appropriate money for the payment of debts and expenses of the County for any public purpose; and adopt an annual budget in accordance with the terms of this Charter.

3.4.2.4. Assess, levy, equalize, remit, and collect all taxes now or hereafter authorized by Missouri Law and prescribe a method or system to facilitate the assessment, calculation, extension and collection of taxes, including the design of books and forms and the purchase and installation of necessary mechanical devices and data processing systems.

3.4.2.5. Establish and collect fees for licenses, permits, inspections and services performed by County Officers and County employees; require all fees to be accounted for and paid into the County treasury.

3.4.2.6. Within the unincorporated areas of the County and, with the consent or agreement of the governing body of the affected Municipality or Special District, in the incorporated areas of the County, license, tax, and regulate all businesses, occupations, professions, vocations, activities, and other things that counties of the first class, including first class charter counties, are permitted to

license, tax, or regulate by Missouri Law. Nothing in this Charter preempts the power of any Municipality or Special District to license, tax, and regulate businesses, occupations, professions, vocations, activities, and other things that they are permitted to license, tax, or regulate by Missouri Law.

3.4.2.7. Borrow money in anticipation of the collection of taxes and revenues for the current calendar year but not in excess of ninety percent of the estimated collectible taxes and revenues for such year yet uncollected; determine the amount and terms of such loans, and authorize the County Executive to execute and issue warrants of the County to the lenders for all money borrowed as evidence of the loans and of the terms of the obligation of the County to repay the loans.

3.4.2.8. Acquire in the name of the County by purchase, gift, donation or otherwise, real and personal property, in fee simple title or otherwise; and acquire property by eminent domain in accordance with Missouri Law, subject to the limitations on the exercise of eminent domain elsewhere in this Charter, together with any easements, licenses and privileges over property in excess of that actually to be occupied by the public improvement as may be reasonably necessary to achieve the public purpose of the condemnation; and upon condemnation and payment of compensation and expenses as required by Missouri Law and this Charter, cause the title to the property condemned to vest in the County.

3.4.2.9. Rent or lease County properties and rent or lease other property for County use.

3.4.2.10. Dispose of any real property owned by the County, including but not limited to property acquired by condemnation as excess property, to the highest and best bidder by open and public competition unless made to a former or abutting owner or to the United States of America or any of its agencies or to the State of Missouri or any of its political subdivisions or municipalities; and authorize County Officers to dispose of personal property upon terms advantageous to the County.

3.4.2.11. Take and hold property in trust and provide for its administration.

3.4.2.12. Collect and dispose of sewage, offal, ashes, garbage and refuse, and license and regulate the collection and disposal of sewage, offal, ashes, garbage and refuse, and impose a charge for this service.

3.4.2.13. Provide for the disposal of any liquid, solid, semi-solid, or gaseous waste, including but not limited to sewage, garbage, refuse, hazardous and toxic substances; license and regulate such disposal including discharge, deposit, injection, dumping, spilling, leaking or placing of any such waste or special waste into or on any land or water, or discharged into the air, or which may enter the environment; provide for a manifest identifying quantity, origin, routing and destination of hazardous, toxic and special waste during its transportation from the point of generation to the point of disposal, treatment or storage, according to applicable Law. The expenses of regulation and licensing under this Section are to be defrayed by fees from the licenses prescribed under this Section and to the extent that the license fees are not sufficient to fund the regulation and licensing, the difference is to be financed by County general revenue funds or grants from the State of Missouri or the United States of America.

3.4.2.14. Issue bonds as general obligations of the County or as obligations payable only from designated project revenues as authorized by Missouri Law.

3.4.2.15. Call elections to submit to the voters propositions for the issuance of bonds of the County.

- 3.4.2.16. Call elections for any lawful purpose, and establish election procedures consistent with applicable law.
- 3.4.2.17. Acquire, establish, construct, equip, improve, extend, repair, maintain, manage, and operate public hospitals, sanitariums, health centers, institutions and clinics, provided that no patient who is otherwise entitled to admission and treatment in any institution is to be denied medical care because of his or her inability to pay for it.
- 3.4.2.18. Acquire, establish and provide for the planning, development, construction, maintenance and operation of a system of parks, parkways, recreation, conservation, forest, scenic and historic sites and facilities, and establish reasonable charges for the use of the facilities.
- 3.4.2.19. Establish, open, locate, relocate, and vacate public easements, rights of way, streets, alleys, public roads, highways and bridges; and construct, reconstruct, maintain and repair highways, streets, roads, sidewalks, bridges and culverts located in the County.
- 3.4.2.20. Provide for the location, relocation and establishment of highways and bridges into and through the County and for connecting highways within the County; and construct and maintain highways and bridges in the County.
- 3.4.2.21. Adopt codes, standards, or regulations relating to traffic, building, planning, electrical installations, fire prevention, food products, air and water pollution, and all other subjects which the County has power to regulate, provided that a copy of every code, standard or regulation as adopted and in effect must be kept in the Department of the County Clerk and open to public inspection.
- 3.4.2.22. Cooperate or join by contract or otherwise with any Municipality or Special District or agency thereof, or with the United States of America or any agency thereof, for the planning, development, construction, acquisition or operation of any public improvement or facility, or for a common service; and accept, in the name of the County, gifts, devises, bequests, and grants-in-aid from any Municipality or Special District or agency thereof, or from the United States of America or any agency thereof.
- 3.4.2.23. Provide the terms upon which the County will perform any services and functions of any Municipality or Special District in the County by agreement of the Municipality or Special District.
- 3.4.2.24. Furnish or provide within the part of the County outside incorporated cities any service or function of any Municipality or Special District; provide for the creation of Special Districts or other districts in the unincorporated areas of the County within which may be provided police protection, fire protection, public water supply, streets, sidewalks, street lighting, sewers, sewage disposal facilities, garbage and refuse collection and disposal, and similar services and facilities as the voters in those districts approve by a majority of the votes cast on the proposition; and provide that the facilities are to be paid for from funds raised by any combination of special assessments, general taxation, sales taxes or service charges within those districts; and when authorized by Missouri Law, provide for assistance in consolidation of such functions with those now performed in existing districts when requested to do so by the districts. Nothing in this Section is to be construed as giving the County Council the ability to provide services or create districts that are in direct competition or conflict with any existing Municipality or district.
- 3.4.2.25. Grant exclusive and non-exclusive franchises in the name of the County, provided that the period of any franchise is not to exceed twenty years.

3.4.2.26. Adopt Ordinances, rules and regulations that are necessary or appropriate to effectuate the provisions of this Charter and adopt rules and regulations that are necessary or appropriate to effectuate the provisions of Ordinances; and provide for the enforcement of Ordinances, rules and regulations by penalties not exceeding for any one offense the penalties provided under Missouri Law for Class A Misdemeanors.

3.4.2.27. Establish procedures for the conduct of investigations by the County Council or any of its committees of any question or matter on which the County Council may lawfully take action, including but not limited to the power to issue subpoenas for witnesses and *subpoenas duces tecum* for books, records and documents; provide penalties for the failure to answer any subpoena or *subpoena duces tecum*; and provide for the service of subpoenas and *subpoenas duces tecum* by the Sheriff or any of the deputies of the Sheriff.

3.4.2.28. Establish a County municipal court with jurisdiction to hear and determine such cases involving violations of this Charter and violations of Ordinances, subject to appeal by any party to the circuit court in the same manner as provided by Missouri Law for appeals from associate circuit courts in criminal cases; and authorize the municipal court to accept jurisdiction to hear and determine cases involving violations of ordinances of any Municipality in the County.

3.4.2.29. Establish uniform procedures governing purchases of property by the County and contracts for providing property or services to the County, all of which must be based upon competitive bids in accordance with Missouri Law except in those instances authorized by Ordinance and permitted by Missouri Law.

3.4.2.30. Provide for disaster planning and civil defense as required by Law or deemed appropriate for the County by the County Council.

3.4.2.31. Provide for long range plans for the future physical development of the County while conserving its natural resources, insuring the efficient expenditure of public funds and promoting the health, safety, convenience, prosperity and general welfare of the Citizens of the County. Every long range plan must state the policies and goals of the County regarding the matters covered by that plan. Long range plans must include the following, as relevant to the particular plan: policies and goals regarding residential, recreational, agricultural, commercial, and industrial uses and other uses of real property in the unincorporated parts of the County; policies and goals that influence private and public investment so as to achieve desirable patterns of development in the County; policies and goals regarding development and improvement of the highway and road system in the County; policies and goals regarding the development of airports, parks, playgrounds and other public open spaces in the County; policies and goals regarding the general location, relocation and improvement of public buildings; policies and goals, formulated in cooperation with affected public and private utilities, regarding the general location and extent of public utilities and terminals, whether publicly or privately owned, for water, sewerage, light, power, transit and other purposes; policies and goals regarding adequate drainage facilities and storm water control; and policies and goals regarding such other matters as may be beneficial to the County. Every long range plan must contain a statement of the objectives, standards and principles on which it is based. Every long range plan must be based on well-designed studies of physical, social, economic and governmental conditions and trends and must be designed to assure the coordinated development of the County and to promote the general welfare and prosperity of its Citizens. Every long range plan approved by the County Council must be made available in paper or Electronic Form upon request at a cost fixed by the County Council. The County Council must from time to time review the long range plans to assure that they conform to the current policies and goals of the County. This review must occur before January 1, 2012, and thereafter not less frequently than once every five years.

3.4.2.32. Establish a land use plan for the unincorporated parts of the County that conforms to the long range plans; provide for limitations on the uses of parcels of real property in the unincorporated parts of the County according to zoning districts established by the County Council in conformity with the long range plans; provide for the regulation of subdivisions of real property in unincorporated parts of the County and establish requirements and standards for improvements to be built in subdivisions of real property in unincorporated parts of the County; provide for the protection of public health; and provide for law enforcement and the regulation of traffic.

3.4.2.33. Establish a pension and retirement plan, including death benefits, for employees of the County and the spouses and minor children of deceased employees.

3.4.2.34. Determine and make provision for any matter of County Government not otherwise provided for in this Charter, including transition to the form of government provided by this Charter from the form of government that existed prior to the adoption of this Charter.

3.4.2.35. If any doubt exists among County Officers or members of commissions or boards regarding which Department, Division, County Officer, commission or board of the County existing when this Charter was adopted is to exercise or perform any power or duty conferred or imposed by Missouri Law or by this Charter, specify which Department, Division, County Officer, or board or commission is to have that power or duty.

3.4.2.36. Enact and adopt Ordinances, resolutions, rules and regulations that are necessary or appropriate to the exercise of any the foregoing powers.

3.4.3. In addition to the other powers conferred upon the County Council by this Charter, the County Council has the power, by order or resolution, to do the following:

3.4.3.1. Correct errors in assessment records and tax records and compromise taxes as provided by Missouri Law;

3.4.3.2. If the resolution or order so providing is adopted by a majority of All Council Votes, subpoena witnesses and order the production of books and papers relating to any subject matter within its jurisdiction, in furtherance of which the County Council may command the Sheriff or any of the deputies of the Sheriff to execute its process and to arrest any person refusing to obey its subpoena or order. Each day a person refuses to obey its subpoena or order is a separate offense; and

3.4.3.3. Exercise and perform any and all other powers of a non-legislative nature which it may possess and any and all other duties which it may need to or be required to perform by Law or this Charter.

SECTION 3.5. LEGISLATIVE PROCEDURES

3.5.1. Bills and resolutions are to be introduced by a member or members of the County Council or by the County Council as a whole. Each must be in written or printed form. Except for items on the consent agenda as provided in this Charter, Bills must be read three times. At least two of the readings must be at separate meetings unless the Bill is treated as an emergency Bill as provided in this Charter. Resolutions need be read only once. If a Bill or resolution is not more than two pages long, it must be read aloud in its entirety the first time. If it is more than two pages long, the first reading may be by title only if written copies are made available to the public at least thirty-six hours prior to the time scheduled for the first reading. Each may be referred to by title only for the second and third reading and for final passage. The enacting clause of all Ordinances must read: "Be It Enacted By The Jefferson County, Missouri, Council."

3.5.2. The affirmative vote of a majority of the Council Members present is necessary to pass any resolution. Unless this Charter requires otherwise in a particular instance, the affirmative vote of a majority of All Council Votes is necessary to pass any Bill or to consent to or approve any action of the County Executive for which this Charter requires the approval or the advice and consent of the County Council.

3.5.3. Unless a Bill is treated as an emergency Bill as provided in this Charter, no final vote by the County Council may be taken until ten days elapses from the time that a Bill is first introduced. A Bill which has been introduced may be amended after introduction and prior to its final passage, but any amendment must be germane to the original purpose of the Bill. No section of any Ordinance may be amended unless the section amended is stated in full as amended in the Bill by which the amendment is to be made. Upon the final passage of any Bill or resolution, and on any other question put to a vote, the "Yes" or "No" vote of each Council Member voting must be entered in the journal of the County Council. All Bills, Ordinances, resolutions, orders, journals and proceedings of the County Council are public records and must be available for public inspection.

3.5.4. The County Council must specify the effective date of each Ordinance. The effective date of an Ordinance may be any time after its approval by the County Executive, except that no Ordinance providing a penalty for its violation may be effective sooner than thirty days after its publication in full in a legal publication, or in a newspaper of general circulation in the County, and posted in a public place in each Council District and on a County sponsored web page on the internet in Electronic Form.

3.5.5. All Ordinances providing a penalty for their violation must specify whether enforcement of the Ordinance is to be the responsibility of the County Counselor or the Prosecuting Attorney.

3.5.6. All Bills passed by the County Council must be presented to the County Executive within five days after the date of passage. If the County Executive approves the Bill and signs it, the Ordinance is to be deemed enacted. If not so approved and signed by the County Executive, the Bill is to be treated as a vetoed Bill and must be returned to the County Council with the written objections of the County Executive. The County Council must enter the objections of the County Executive in its journal. If a Bill is not returned by the County Executive within twenty days after it has been presented to him or her, the Bill is to be deemed approved by the County Executive, as if signed.

3.5.7. The County Council may reconsider a vetoed Bill provided that it does so within thirty days after the Bill is returned. A reconsidered Bill must be read at least once and may be read by title only if it is more than two pages in length and written copies are made available to the public at least thirty-six hours prior to the time scheduled for the first reading.

3.5.8. After reconsideration, a vetoed Bill may be passed over the objections of the County Executive by an affirmative vote of 2/3^{ds} of All Council Votes.

3.5.9. To meet a public emergency that will immediately and adversely affect life, the public peace, health, property, safety or welfare, emergency Bills may be introduced to enact emergency Ordinances. An emergency Bill is to be introduced in the same form and manner prescribed for non-emergency Bills, except that it must be plainly designated as an emergency Bill. An emergency Bill must contain in its body a declaration that an emergency exists and state the facts supporting that conclusion in clear and specific terms. To pass, an emergency Bill must either (1) receive the affirmative vote of at least 2/3^{ds} of All Council Votes, or (2) receive the affirmative vote of at least a majority of All Council Votes and be signed by the County Executive. If passed as provided in clause (1), the Ordinance is to take effect immediately upon its enactment. If passed as provided in clause (2), the Ordinance is to take effect immediately when it is signed by the County Executive.

3.5.10. The County Executive must prepare an agenda for every meeting of the County Council. The form of the agenda must conform to the procedural rules adopted by the County Council as provided in this Charter. The first item of business listed on every agenda must be consideration and approval of the agenda itself. The County Council by majority vote may add or remove items on any agenda prepared by the County Executive, or direct the County Executive to add or remove items on the agenda for the next ensuing meeting, provided that the requirements of this Charter and the procedural rules adopted by the County Council as provided in this Charter for the publication, reading and consideration of Bills, resolutions and orders are complied with. The County Executive may also prepare a consent agenda listing Bills or resolutions pertaining to the award or acceptance of agreements, contracts, bids, change orders or addenda to contracts. Items on the consent agenda may be adopted without a second or third reading.

3.5.11. The County Executive is to preside at all meetings of the County Council. In that capacity, the County Executive is to preserve order at the meetings and enforce the procedural rules adopted by the County Council as provided in this Charter.

3.5.12. The County Executive may speak at County Council meetings concerning any matter on the agenda, but may not vote on any matter except to break a tie vote on the adoption of a resolution.

3.5.13. At its first meeting in January of every year, the County Council must elect a Chair and a Vice-Chair from among the Council Members. The Chair and the Vice-Chair are to serve at the pleasure of the County Council. The Chair is to perform the functions of the County Executive at meetings of the County Council in the County Executive's absence. The Vice-Chair is to perform the functions of the County Executive at meetings of the County Council in the absence of the County Executive and the Chair. The Chair and the Vice-Chair do not have any other powers of the County Executive, including but not limited to the power to veto a Bill or to vote to break a tie on any matter.

3.5.14. The County Council must meet regularly, no less than twice each month, on the dates and at the places it prescribes by resolution. Special meetings may be held on the call of the County Executive, the Chair or a majority of the serving Council Members. Special meetings are to be called on no less than twenty-four hours' notice to each Council Member. All meetings must be open to the public except as explicitly permitted otherwise by Missouri Law and must commence no earlier than 6:00 p.m. except in the case of an emergency.

3.5.15. A majority of the serving Council Members constitutes a quorum for the conducting of its business. If a quorum is not present at a Council Meeting, the only matter upon which the County Council may act is to adjourn the meeting to its next regularly scheduled date and time.

3.5.16. The County Council must adopt by resolution its own rules of procedure that are consistent with this Charter to govern the conduct of its business and meetings.

3.5.17. The agenda for each meeting of the County Council, other than an emergency meeting, and all Bills to be considered at the meeting must be posted not less than 72 hours before the meeting in paper form in a conspicuous place near the chamber where the County Council is to meet and also on a County sponsored web page on the internet in Electronic Form.

3.5.18. The County Council must provide for the keeping by the County Clerk of a journal of the proceedings of the County Council and all Ordinances, resolutions and orders adopted by it. The journal is to be a public record.

**ARTICLE IV.
EXECUTIVE BRANCH**

SECTION 4.1. EXECUTIVE POWERS.

4.1.1. Except as provided in ARTICLE XV during the Transition Period, the executive powers of Jefferson County are vested in a county executive referred to in this Charter as the "County Executive" but whose official title is "Jefferson County, Missouri, Executive".

4.1.2. Commencing January 1, 2011, there are to be two Transition Executives, each having such authority and duties as the County Executive may delegate to them. The two Persons who were elected as Associate Commissioners of Jefferson County at the general election in November, 2008, are to serve as Transition Executives. If a Person who was so elected is unwilling or unable to serve as a Transition Executive, then one Transition Executive office is to be deemed automatically eliminated and the other Person who was so elected is to serve as the only Transition Executive. If both Persons who were so elected are unwilling or unable to serve as Transition Executives, and in any event on January 1, 2013, both Transition Executive offices are to be deemed automatically eliminated.

SECTION 4.2. ELECTION OF COUNTY EXECUTIVE.

The County Executive is to be elected at large at the general election in November, 2010, and at general elections thereafter, for terms of four years each that begin on the January 1st following his or her election.

SECTION 4.3. QUALIFICATION REQUIREMENTS FOR COUNTY EXECUTIVE

4.3.1. To be qualified to be elected as County Executive, a Person must meet both the general qualification requirements in Section 12.2 and the following additional qualification requirements at the time of filing for election:

4.3.1.1. He or she must be a resident of Jefferson County for the 24 months before he or she files for election;

4.3.1.2. He or she must be a Citizen for 24 months before he or she files for election.

4.3.1.3. He or she must be at least 24 years of age when he or she files for election.

SECTION 4.4. POWERS AND DUTIES.

4.4.1. The County Executive is to be the chief executive officer of the County Government. In that capacity, the County Executive has the power and duty to do the following:

4.4.1.1. With the advice and consent of the County Council, and subject to compliance with the Merit System to the extent it is applicable to the office involved, appoint the Director of Administration and other County Officers who are to be appointed and not elected as provided in this Charter; and except as otherwise explicitly provided in this Charter, appoint all the members of boards and commissions established by this Charter or by Ordinance, subject to obtaining the advice and consent of the County Council when required by this Charter.

4.4.1.2. Delegate and assign to County employees, including non-elected County Officers but not elected County Officers, and to members of boards and commissions established by this Charter or by Ordinance duties and functions consistent with this Charter and Missouri Law;

4.4.1.3. Designate an acting officer to serve until a vacancy in any appointive or elective office except Council Member is filled in the manner provided in this Charter. The acting officer must serve for no more than one hundred eighty days. If the vacancy has not been filled in the manner

provided in this Charter within one hundred eighty days, the County Executive must submit the acting officer's nomination to the County Council for its approval. If the County Council approves the nomination, the acting officer must serve until such time as the vacancy is filled in the manner provided in this Charter.

4.4.1.4. Employ, by and with the approval of the Council, experts and consultants in connection with any of the functions, services, and activities of the County.

4.4.1.5. Coordinate and supervise the work of the departments, boards, and agencies of the County which are subject to the control of the County Executive;

4.4.1.6. Execute and enforce the provisions of this Charter, Missouri Law pertaining to the County Government, and the Ordinances, resolutions, orders and policies of the County Council;

4.4.1.7. Oversee the performance by the County of all of its contracts with others so that the contracts are faithfully performed.

4.4.1.8. Cause to be instituted in the name of the County all appropriate suits, actions and proceedings;

4.4.1.9. Preside over meetings of the County Council, participate in its discussions and vote to break a tie on the adoption of resolutions as provided in this Charter;

4.4.1.10. Recommend to the County Council such measures as may, in his opinion, tend to improve County Government and the general well being of the people;

4.4.1.11. Submit to the County Council an annual report of the affairs of the County and such other reports as may be requested by the Council or any three Council Members;

4.4.1.12. Promote and encourage cooperative relationships between the County and the political subdivisions within the County in matters relating to public health, safety, and public welfare or any other governmental functions in which the Citizens of the County could gain through better cooperative arrangements;

4.4.1.13. Examine parties, witnesses and others on oath or affirmation touching any matter or circumstances in the examination of any payroll, account, demand or claim against the County and have access to all books, records and papers kept by any Department or Division or by any County Officers or by any Persons employed by the County except records which by Law cannot be disclosed;

4.4.1.14. Be the primary representative of the County in transactions and communications with others.

4.4.1.15. Establish from time to time, by County Executive order, systems of administrative organization in Departments headed by County Officers who are Administrator Supervised and consult with the heads of Departments that are not Administrator Supervised regarding the systems of administrative organization in the Departments they head. All systems of administrative organization established by the County Executive must be consistent with all applicable Ordinances; and

4.4.1.16. Submit to the County Council for approval by Ordinance an annual balanced budget at the time and in the manner provided in this Charter and by Ordinance;

4.4.2. The County Executive also has the power to perform such other duties that are prescribed by Missouri Law for the presiding commissioners of first class counties not having a charter form of government or that are necessary or incidental to any other power or duty of the County Executive as provided in this Charter;

4.4.3. The County Executive is also the chief economic development officer of the County Government. As such, the County Executive is to coordinate all economic development activities of County Government in a manner consistent with any economic development objectives that are established by the County Council to promote the general welfare of residents of the County.

**ARTICLE V.
OTHER COUNTY OFFICERS AND DEPARTMENTS**

SECTION 5.1. DEPARTMENTS.

5.1.1. Except to the extent that the government of Jefferson County is re-organized as provided in Section 5.21, governmental functions of Jefferson County are to be organized, performed and administered in the following separate Departments:

- 5.1.1.1. Department of the Sheriff
- 5.1.1.2. Department of the County Clerk
- 5.1.1.3. Department of the County Assessor
- 5.1.1.4. Department of the County Collector
- 5.1.1.5. Department of the County Treasurer
- 5.1.1.6. Department of the County Auditor
- 5.1.1.7. Department of the County Recorder
- 5.1.1.8. Department of the Prosecuting Attorney
- 5.1.1.9. Department of the County Counselor
- 5.1.1.10. Department of the Medical Examiner
- 5.1.1.11. Department of Public Works
- 5.1.1.12. Department of Parks and Recreation
- 5.1.1.13. Department of County Services and Code Enforcement
- 5.1.1.14. Department of Emergency Services
- 5.1.1.15. Department of the Public Administrator
- 5.1.1.16. Department of Administrative Services

SECTION 5.2. DEPARTMENT OF THE SHERIFF.

5.2.1. The Department of the Sheriff is to be supervised and managed by an elected County Officer referred to in this Charter as the "Sheriff" but whose official title is "Sheriff of Jefferson County."

5.2.2. Until January 1, 2013, the Sheriff is to be the Person who was elected Sheriff of Jefferson County at the general election in November, 2008.

5.2.3. The Sheriff is to be elected at large at the general election in November, 2012, and at general elections thereafter, for terms of four years each that begin on the January 1st following his or her election.

5.2.4. To be qualified to be elected as Sheriff, a Person must meet the qualification requirements in Section 12.2, must have a Class A license under the Missouri Department of Public Safety's Peace Officer Standards and Training (POST) Program and have at least five years of experience in law enforcement and must certify to the County Clerk at the time of filing for election that he or she meets all of the qualification requirements to be elected as Sheriff and is able to perform the duties of Sheriff.

5.2.5. The Sheriff is to be the head of the Department of the Sheriff and the chief law enforcement and corrections officer of Jefferson County. The Sheriff has the following powers and duties, to be exercised and performed by the Sheriff and other Persons in the Department of the Sheriff under the control, management and supervision of the Sheriff:

5.2.5.1. The Sheriff has all the powers and duties of the office of sheriff of a first class county as provided under Missouri Law, to the extent not inconsistent with this Charter. In cases where Missouri Law provides for different powers or duties for sheriffs of a first class county not having a charter form of government and sheriffs of a first class county having a charter form of government, a provision of Missouri Law governing the former is to be controlling except to the extent that the County Council provides explicitly by Ordinance that a provision of Missouri Law governing the latter is to be controlling.

5.2.5.2. The Sheriff must supervise, manage and administer the enforcement by the Department of the Sheriff of the Laws defining felonies and misdemeanors over which the office of sheriff of a first class county has jurisdiction.

5.2.5.3. The Sheriff must supervise, manage and administer the enforcement by the Department of the Sheriff of all Ordinances, rules, regulations and orders of the County Government, except where such enforcement is assigned to other Departments as provided in this Charter.

5.2.5.4. The Sheriff must supervise, manage and administer all corrections facilities in Jefferson County for which the County Government or the Sheriff has responsibility under Missouri Law.

5.2.5.5. The Sheriff is to supervise, manage and administer the provision of all security in all facilities where the County Government operates or conducts business, to the extent the County Council by resolution requires that there must be security provided in those facilities and provides funds to pay the costs of providing such security.

5.2.5.6. The Sheriff must supervise, manage and administer the provision of security for the divisions of the circuit court and the associate circuit courts sitting in Jefferson County and the municipal court of Jefferson County. Such security is to include spaces outside of courtrooms to the extent the County Council by resolution requires that there must be security provided in those spaces and provides funds to pay the costs of providing such additional security.

5.2.5.7. The Sheriff must supervise, manage and administer the provision of services necessary for the functioning of the divisions of the circuit court and the associate circuit courts sitting in Jefferson County for which the office of sheriff of a first class county is responsible under Missouri Law and for the functioning of the municipal court of Jefferson County.

SECTION 5.3. DEPARTMENT OF THE COUNTY CLERK.

5.3.1. The Department of the County Clerk is to be supervised and managed by an elected County Officer referred to in this Charter as the "County Clerk" but whose official title is "Clerk of Jefferson County."

5.3.2. Until January 1, 2011, the County Clerk is to be the Person who was elected Clerk of Jefferson County at the general election in November, 2006.

5.3.3. The County Clerk is to be elected at large at the general election in November, 2010, and at general elections thereafter, for terms of four years each that begin on the January 1st following his or her election.

5.3.4. To be qualified to be elected as County Clerk, a Person must meet the qualification requirements in Section 12.2 and must certify to the then incumbent County Clerk at the time of filing for election that he or she meets these requirements and is able to perform the duties of County Clerk.

5.3.5. The County Clerk is to be the head of the Department of the County Clerk, the chief election authority for Jefferson County and the official custodian of the journal and other records of proceedings of the County Council, the Ordinances, resolutions and orders adopted by the County Council, and the orders, rules and regulations of all County Officers, Departments and Divisions of the County Government and all boards and commissions established as provided in this Charter or pursuant to Missouri Law. The County Clerk has the following powers and duties, to be exercised and performed by the County Clerk and by other Persons in the Department of the County Clerk under the control, management and supervision of the County Clerk:

5.3.5.1. The County Clerk has all the powers and duties of the office of clerk of a first class county as provided under Missouri Law, including first class counties having a charter form of government and first class counties not having a charter form of government to the extent not inconsistent with the provisions of this Charter or with any plan of re-organization of County Government adopted as provided in Section 5.21. In determining such powers and duties under Missouri Law, all references to a "county commission" are to be deemed and treated as instead referring to the County Council in the case of legislative matters and to the County Executive in the case of non-legislative matters. In cases where Missouri Law provides for different powers or duties for clerks of a first class county not having a charter form of government and clerks of a first class county having a charter form of government, a provision of Missouri Law governing the former is to be controlling except to the extent that the County Council provides explicitly by Ordinance that a provision of Missouri Law governing the latter is to be controlling.

5.3.5.2. The County Clerk must keep an accurate and reasonably secure record in paper or Electronic Form of the proceedings of the County Council, the Ordinances and resolutions adopted by the County Council, and the orders, rules and regulations of all the County Officers and the Departments and Divisions of the County Government and all boards and commissions established as provided in this Charter or pursuant to Missouri Law. Any such record, or copy of such record, bearing the attestation of the County Clerk, whether in paper or Electronic Form, is to be deemed and treated as an authentic original document.

SECTION 5.4. DEPARTMENT OF THE COUNTY ASSESSOR.

5.4.1. The Department of the County Assessor is to be supervised and managed by an elected County Officer referred to in this Charter as the "County Assessor" but whose official title is "Assessor of Jefferson County."

5.4.2. Until September 1, 2013, the County Assessor is to be the Person who was elected County Assessor of Jefferson County at the general election in November, 2008.

5.4.3. The County Assessor is to be elected at large at the general election in November, 2012, and at general elections thereafter, for terms of four years each that begin on the September 1st following his or her election.

5.4.4. To be qualified to be elected as County Assessor, a Person must meet the qualification requirements in Section 12.2 and must certify to the County Clerk at the time of filing for election that he or she meets these requirements and is able to perform the duties of County Assessor. To be qualified to continue to serve as County Assessor, a Person must have completed all training for county assessors required by Missouri Law, if any, within the time required by Missouri Law.

5.4.5. The County Assessor is to be the head of the Department of the County Assessor and has the following powers and duties, to be exercised and performed by the County Assessor and by other Persons in the Department of the County Assessor under the control, management and supervision of the County Assessor:

5.4.5.1. The County Assessor has all the powers and duties of the office of county assessor of a first class county as provided under Missouri Law, including first class counties having a charter form of government and first class counties not having a charter form of government to the extent not inconsistent with the provisions of this Charter or with any plan of re-organization of County Government adopted as provided in Section 5.21. In cases where Missouri Law provides for different powers or duties for assessors of a first class county not having a charter form of government and assessors of a first class county having a charter form of government, a provision of Missouri Law governing the former is to be controlling except to the extent that the County Council provides explicitly by Ordinance that a provision of Missouri Law governing the latter is to be controlling.

5.4.5.2. The County Assessor must compile and maintain reasonably secure records in paper or Electronic Form of all separately assessed parcels of real property in Jefferson County, classified as residential, agricultural, horticultural, industrial, commercial, railroad, or otherwise as required by Missouri Law.

5.4.5.3. The County Assessor must compile and maintain reasonably secure records in paper or Electronic Form containing the names of the owners of all separately assessed parcels of real property in Jefferson County and descriptions of the parcels owned by them.

5.4.5.4. The County Assessor must compile and maintain reasonably secure records in paper or Electronic Form containing the names of the owners of all separately assessed items of tangible personal property in Jefferson County and descriptions of the property owned by them.

5.4.5.5. The County Assessor must compile and maintain reasonably secure records in paper or Electronic Form containing the names of all Persons and Entities liable for payment of assessed real property taxes and tangible personal property taxes, together with descriptions of the assessed real property and tangible personal property owned by each of them and such additional information as is required by Missouri Law.

SECTION 5.5. DEPARTMENT OF THE COUNTY COLLECTOR.

5.5.1. The Department of the County Collector is to be supervised and managed by an elected County Officer referred to in this Charter as the "County Collector" but whose official title is "Collector of Jefferson County."

5.5.2. Until March 1, 2011, the Jefferson County Collector is to be the Person who was elected Collector of Jefferson County at the general election in November, 2006.

5.5.3. The County Collector is to be elected at large at the general election in November, 2010, and at general elections thereafter, for terms of four years each that begin on the March 1st following his or her election.

5.5.4. To be qualified to be elected as County Collector, a Person must meet the qualification requirements in Section 12.2 and must certify to the County Clerk at the time of filing for election that he or she meets these requirements and is able to perform the duties of County Collector. To be qualified to continue to serve as County Collector, a Person must have completed all training for county collectors required by Missouri Law, if any, within the time required by Missouri Law.

5.5.5. The County Collector is to be the head of the Department of the County Collector and has the following powers and duties, to be exercised and performed by the County Collector and other Persons in the Department of the County Collector under the control, management and supervision of the County Collector:

5.5.5.1. The County Collector has all the powers and duties of the office of collector of a first class county as provided under Missouri Law, including first class counties having a charter form of government and first class counties not having a charter form of government, to the extent not inconsistent with the provisions of this Charter or with any plan of re-organization of County Government adopted as provided in Section 5.21. In cases where Missouri Law provides that a collector of a first class county not having a charter form of government may collect fees but a collector of a first class county having a charter form of government may not, or that a collector of a first class county not having a charter form of government may collect fees at a rate higher than a collector of a first class county having a charter form of government, the provisions of Missouri Law authorizing the collection of fees or authorizing the collection of fees at a higher rate are to be controlling except to the extent that the County Council provides to the contrary. In all other cases where Missouri Law provides for different powers or duties for collectors of a first class county not having a charter form of government and collectors of a first class county having a charter form of government, a provision of Missouri Law governing the former is to be controlling except to the extent that the County Council provides explicitly by Ordinance that a provision of Missouri Law governing the latter is to be controlling.

SECTION 5.6. DEPARTMENT OF THE COUNTY TREASURER.

5.6.1. The Department of the County Treasurer is to be supervised and managed by an elected County Officer referred to in this Charter as the "County Treasurer" but whose official title is "Treasurer of Jefferson County."

5.6.2. Until January 1, 2013, the County Treasurer is to be the Person who was elected Treasurer of Jefferson County at the general election in November, 2008.

5.6.3. The County Treasurer is to be elected at large at the general election in November, 2012, and at general elections thereafter, for terms of four years each that begin on the January 1st following his or her election.

5.6.4. To be qualified to be elected as County Treasurer, a Person must meet the qualification requirements in Section 12.2 and must certify to the County Clerk at the time of filing for election that he or she meets these requirements and is able to perform the duties of County Treasurer. To be qualified to continue to serve as County Treasurer, a Person must have completed all training for county treasurers required by Missouri Law, if any, within the time required by Missouri Law.

5.6.5. The County Treasurer is to be the head of the Department of the County Treasurer and has the following powers and duties, to be exercised and performed by the County Treasurer and other Persons in the Department of the County Treasurer under the control, management and supervision of the County Treasurer:

5.6.5.1. The County Treasurer has all the powers and duties of the office of treasurer of a first class county as provided under Missouri Law, including first class counties having a charter form of government and first class counties not having a charter form of government, to the extent not inconsistent with the provisions of this Charter or with any plan of re-organization of County Government adopted as provided in Section 5.21. In cases where Missouri Law provides for different powers or duties for treasurers of a first class county not having a charter form of government and treasurers of a first class county having a charter form of government, a provision of Missouri Law governing the former is to be controlling except to the extent that the County Council provides explicitly by Ordinance that a provision of Missouri Law governing the latter is to be controlling.

SECTION 5.7. DEPARTMENT OF THE COUNTY AUDITOR.

5.7.1. The Department of the County Auditor is to be supervised and managed by an elected County Officer referred to in this Charter as the "County Auditor" but whose official title is "Auditor of Jefferson County."

5.7.2. Until January 1, 2011, the County Auditor is to be the Person who was elected Auditor of Jefferson County at the general election in November, 2006.

5.7.3. The County Auditor is to be elected at large at the general election in November, 2010, and at general elections thereafter, for terms of four years each that begin on the January 1st following his or her election.

5.7.4. To be qualified to be elected as County Auditor, a Person must meet the qualification requirements in Section 12.2 and must be familiar with the theory and practice of accounting for governmental institutions by education, training and experience and must certify to the County Clerk at the time of filing for election that he or she meets these requirements and is able to perform the duties of County Auditor. To be qualified to continue to serve as County Auditor, a Person must have completed all training for county auditors required by Missouri Law, if any, within the time required by Missouri Law.

5.7.5. The County Auditor is to be the head of the Department of the County Auditor and has the following powers and duties, to be exercised and performed by the County Auditor and other Persons in the Department of the County Auditor under the control, management and supervision of the County Auditor:

5.7.5.1. The County Auditor has all the powers and duties of the office of Auditor of a first class county as provided under Missouri Law, including first class counties having a charter form of government and first class counties not having a charter form of government, to the extent not inconsistent with the provisions of this Charter or with any plan of re-organization of County Government adopted as provided in Section 5.21. In cases where Missouri Law provides for different powers or duties for Auditors of a first class county not having a charter form of

government and Auditors of a first class county having a charter form of government, a provision of Missouri Law governing the former is to be controlling except to the extent that the County Council provides explicitly by Ordinance that a provision of Missouri Law governing the latter is to be controlling.

5.7.5.2. The County Auditor is to assist the County Executive in preparing the annual budget for submission to the County Council as provided in Section 7.2.2.

SECTION 5.8. DEPARTMENT OF THE COUNTY RECORDER.

5.8.1. The Department of the County Recorder is to be supervised and managed by an elected County Officer referred to in this Charter as the "County Recorder" but whose official title is "Recorder of Jefferson County."

5.8.2. Until January 1, 2011, the County Recorder is to be the Person who was elected Recorder of Jefferson County at the general election in November, 2006.

5.8.3. The County Recorder is to be elected at large in the general election in November, 2010, and at general elections thereafter, for terms of four years each that begin on the January 1st following his or her election.

5.8.4. To be qualified to be elected as County Recorder, a Person must meet the qualification requirements in Section 12.2 and must certify to the County Clerk at the time of filing for election that he or she meets these requirements and is able to perform the duties of County Recorder. To be qualified to continue to serve as County Recorder, a Person must have completed all training for county recorders required by Missouri Law, if any, within the time required by Missouri Law.

5.8.5. The County Recorder is to be the head of the Department of the County Recorder and has the following powers and duties, to be exercised and performed by the County Recorder and other Persons in the Department of the County Recorder under the control, management and supervision of the County Recorder:

5.8.5.1. The County Recorder has all the powers and duties of the office of recorder of deeds of a first class county as provided under Missouri Law, including first class counties having a charter form of government and first class counties not having a charter form of government, to the extent not inconsistent with the provisions of this Charter or with any plan of re-organization of County Government adopted as provided in Section 5.21. In cases where Missouri Law provides for different powers or duties for recorders of deeds of a first class county not having a charter form of government and recorders of deeds of a first class county having a charter form of government, a provision of Missouri Law governing the former is to be controlling except to the extent that the County Council provides explicitly by Ordinance that a provision of Missouri Law governing the latter is to be controlling.

SECTION 5.9. DEPARTMENT OF THE PROSECUTING ATTORNEY.

5.9.1. The Department of the Prosecuting Attorney is to be supervised and managed by an elected County Officer referred to in this Charter as the "Prosecuting Attorney" but whose official title is "Prosecuting Attorney of Jefferson County."

5.9.2. Until January 1, 2011, the Prosecuting Attorney is to be the Person who was elected prosecuting attorney of Jefferson County at the general election in November, 2006.

5.9.3. The Prosecuting Attorney is to be elected at large at the general election in November, 2010, and at general elections thereafter, for terms of four years each that begin on the January 1st following his or her election.

5.9.4. To be qualified to be elected as Prosecuting Attorney, a Person must meet the qualification requirements in Section 12.2, must have been licensed to practice law in the State of Missouri for at least five years at the time of filing and must certify to the County Clerk at the time of filing for election that he or she meets these requirements and is able to perform the duties of Prosecuting Attorney. To be qualified to continue to serve as Prosecuting Attorney, a Person must have completed all training for prosecuting attorneys required by Missouri Law, if any, within the time required by Missouri Law and may not engage in the private practice of law.

5.9.5. The Prosecuting Attorney is to be the head of the Department of the Prosecuting Attorney and has the following powers and duties, to be exercised and performed by the Prosecuting Attorney and his or her assistant prosecuting attorneys and, to the extent they do not involve the practice of law, other Persons in the Department of the Prosecuting Attorney under the control, management and supervision of the Prosecuting Attorney.

5.9.6. The Prosecuting Attorney has all the powers and duties of the office of prosecuting attorney of a first class county as provided under Missouri Law, including first class counties having a charter form of government and first class counties not having a charter form of government, to the extent not inconsistent with the provisions of this Charter or with any plan of re-organization of County Government adopted as provided in Section 5.21. In cases where Missouri Law provides for different powers or duties for the prosecuting attorney of a first class county not having a charter form of government and the prosecuting attorney of a first class county having a charter form of government, a provision of Missouri Law governing the former is to be controlling except to the extent that the County Council provides explicitly by Ordinance that a provision of Missouri Law governing the latter is to be controlling.

SECTION 5.10. DEPARTMENT OF THE COUNTY COUNSELOR.

5.10.1. The Department of the County Counselor is to be supervised and managed by a County Officer referred to in this Charter as the "County Counselor" but whose official title is "Counselor of Jefferson County."

5.10.2. Until January 1, 2011, unless sooner replaced by the County Executive with the advice and consent of the County Council, the County Counselor is to be the Person who was serving as county counselor of Jefferson County when this Charter was adopted.

5.10.3. The County Counselor is to be appointed by the County Executive with the advice and consent of the County Council and is to serve at the pleasure of the County Executive.

5.10.4. To be qualified to be appointed as County Counselor, a Person must meet the qualification requirements in Section 5.20 and at the time of his or her appointment must have been licensed to practice law in the State of Missouri for at least five years at the time of appointment and may not engage in the private practice of law.

5.10.5. The County Counselor is to be the head of the Department of the County Counselor and has the following powers and duties, to be exercised and performed by the County Counselor and, to the extent they do not involve the practice of law, other Persons in the Department of the County Counselor under the control, management and supervision of the County Counselor.

5.10.6. The County Counselor has all the powers and duties of the office of County Counselor of a first class county as provided under Missouri Law, including first class counties having a charter form of

government and first class counties not having a charter form of government, to the extent not inconsistent with the provisions of this Charter or with any plan of re-organization of the County Government adopted as provided in Section 5.21. In cases where Missouri Law provides for different powers or duties for the County Counselor of a first class county not having a charter form of government and the County Counselor of a first class county having a charter form of government, a provision of Missouri Law governing the former is to be controlling except to the extent that the County Council provides explicitly by Ordinance that a provision of Missouri Law governing the latter is to be controlling.

SECTION 5.11. DEPARTMENT OF THE MEDICAL EXAMINER.

5.11.1. The Department of the Medical Examiner is to be supervised and managed by a County Officer referred to in this Charter as the "Medical Examiner" but whose official title is "Medical Examiner of Jefferson County."

5.11.2. Until January 1, 2011, unless sooner replaced by the County Executive, or in accordance with any contract of engagement, and with the advice and consent of the County Council, the Medical Examiner is to be the Person who was serving as medical examiner of Jefferson County when this Charter was adopted.

5.11.3. The Medical Examiner is to be either appointed or engaged by contract by the County Executive with the advice and consent of the County Council. An appointed Medical Examiner is to serve at the pleasure of the County Executive. If the Medical Examiner is engaged by contract, the Medical Examiner may be removed from office only in accordance with the contract.

5.11.4. To be qualified to be appointed or engaged as Medical Examiner, a Person must meet the qualification requirements in Section 5.20 and at the time of his or her appointment must be a licensed physician and a pathologist certified by the board in that specialty and must have experience in forensic pathology.

5.11.5. The Medical Examiner is to be the head of the Department of the Medical Examiner and has the following powers and duties, to be exercised and performed by the Medical Examiner and, to the extent they do not involve the practice of medicine, other Persons in the Department of the Medical Examiner under the control, management and supervision of the Medical Examiner.

5.11.6. To the extent not inconsistent with the provisions of this Charter or with any plan of re-organization of County Government adopted as provided in Section 5.21, the Medical Examiner has all the powers and duties of the office of medical examiner of a first class county not having a charter form of government as provided under Missouri Law and, to the extent that the County Council so provides by Ordinance, the powers and duties of the office of coroner of a first class county having a charter form of government as provided under Missouri Law.

SECTION 5.12. DEPARTMENT OF PUBLIC WORKS

5.12.1. The Department of Public Works is to be supervised and managed by a County Officer referred to in this Charter as the "Public Works Director" but whose official title is "Public Works Director of Jefferson County."

5.12.2. Until January 1, 2011, unless sooner replaced by the County Executive with the advice and consent of the County Council, the Public Works Director is to be the Person who was serving as public works director of Jefferson County when this Charter was adopted.

5.12.3. The Public Works Director is to be appointed by the County Executive with the advice and consent of the County Council and is to serve at the pleasure of the County Executive. The Public

Works Director is to be Administrator Supervised unless a plan of re-organization of County Government adopted as provided in Section 5.21 provides otherwise.

5.12.4. To be qualified to be appointed as Public Works Director, a Person must meet the qualification requirements in Section 5.20 and at the time of his or her appointment must be a registered professional engineer with at least five years experience in transportation or traffic engineering, of which three years were in a management or administrative capacity.

5.12.5. The Public Works Director is to be the head of the Department of Public Works and has the following powers and duties, to be exercised and performed by the Public Works Director and other Persons in the Department of Public Works under the control, management and supervision of the Public Works Director.

5.12.6. To the extent not inconsistent with the provisions of this Charter, or with any plan of re-organization of County Government adopted as provided in Section 5.21, the Public Works Director has all the powers and duties of the offices of county engineer, highway administrator and county surveyor of a first class county not having a charter form of government as provided under Missouri Law and such additional powers and duties as the County Council may provide by Ordinance.

SECTION 5.13. DEPARTMENT OF PARKS AND RECREATION.

5.13.1. The Department of Parks and Recreation is to be supervised and managed by a County Officer referred to in this Charter as the "Parks and Recreation Director" but whose official title is "Parks and Recreation Director of Jefferson County."

5.13.2. Until January 1, 2011, unless sooner replaced by the County Executive with the advice and consent of the County Council, the Parks and Recreation Director is to be the Person who was serving as parks and recreation director of Jefferson County when this Charter was adopted.

5.13.3. The Parks and Recreation Director is to be appointed by the County Executive with the advice and consent of the County Council and is to serve at the pleasure of the County Executive. The Parks and Recreation Director is to be Administrator Supervised unless a plan of re-organization of County Government adopted as provided in Section 5.21 provides otherwise.

5.13.4. To be qualified to be appointed as Parks and Recreation Director, a Person must meet the qualification requirements in Section 5.20.

5.13.5. The Parks and Recreation Director is to be the head of the Department of Parks and Recreation and is to have the powers and duties that are established by Ordinances adopted by the County Council, to be exercised and performed by the Parks and Recreation Director and other Persons in the Department of Parks and Recreation under the control, management and supervision of the Parks and Recreation Director.

SECTION 5.14. DEPARTMENT OF COUNTY SERVICES AND CODE ENFORCEMENT

5.14.1. The Department of County Services and Code Enforcement is to be supervised and managed by a County Officer referred to in this Charter as the "County Services Director" and whose official title is "County Services Director of Jefferson County."

5.14.2. Until January 1, 2011, unless sooner replaced by the County Executive with the advice and consent of the County Council, the County Services Director is to be the Person who was serving as director of the department of land use, development and code enforcement of Jefferson County when this Charter was adopted.

5.14.3. The County Services Director is to be appointed by the County Executive with the advice and consent of County Council and is to serve at the pleasure of the County Executive. The County Services Director is to be Administrator Supervised unless a plan of re-organization of County Government adopted as provided in Section 5.21 provides otherwise.

5.14.4. To be qualified to be appointed as County Services Director, a Person must meet the qualification requirements in Section 5.20 and at the time of his or her appointment must either have a bachelor's or higher degree in community planning, public administration or a related discipline or have a bachelor's or higher degree and at least five years' experience in the community planning process.

5.14.5. The County Services Director is the chief planning and code enforcement officer of Jefferson County. The County Services Director is to be the head of the Department of County Services and Code Enforcement and is to have the powers and duties that are established by Ordinances adopted by the County Council, to be exercised and performed by the County Services Director and other Persons in the Department of County Services and Code Enforcement under the control, management and supervision of the County Services Director.

5.14.6. The governmental functions of the Department of County Services and Code Enforcement and the Persons performing those functions are to be organized into Divisions pursuant to Ordinances adopted by the County Council and are to be managed by managers appointed by the County Services Director with the advice and consent of the County Council. These Divisions must include a Solid Waste Division, Animal Control Division, Planning Division and Division of Code Enforcement. These Divisions are to investigate alleged violations of the relevant codes and regulations, including but not limited to building and construction codes, adopted by the County Council by Ordinance as provided in this Charter. When evidence of a violation is found, the investigating Division is to order mitigation of such violation within a time certain as proscribed by Ordinance. If the violation is not mitigated within the required time, or in the case of repeated violations by the same Person or Entity, whether or not mitigated within the required time, the investigating Division is to file a complaint with the Code Commission against the violator and present its evidence in support of the complaint at a hearing before the Code Commission conducted in accordance with procedures established by Ordinance. The alleged violator is to be given the opportunity at the hearing to present evidence that refutes the complaint. If so provided by Ordinance, a decision of the Code Commission may be appealed as provided in the relevant Ordinance, or if there is no provision in the relevant Ordinance for appeal, to the Circuit Court of Jefferson County.

SECTION 5.15. DEPARTMENT OF EMERGENCY MANAGEMENT.

5.15.1. The Department of Emergency Management is to be supervised and managed by a County Officer referred to in this Charter as the "Emergency Management Director" but whose official title is "Emergency Management Director of Jefferson County."

5.15.2. Until January 1, 2011, unless sooner replaced by the County Executive with the advice and consent of the County Council, the Emergency Management Director is to be the Person who was serving as director of emergency management of Jefferson County when this Charter was adopted.

5.15.3. The Emergency Management Director is to be appointed by the County Executive, with the advice and consent of the County Council, after providing the Public Safety Commission established as provided in this Charter an opportunity to review the qualifications and experience of the candidates for appointment and make a recommendation for appointment. The Emergency Management Director is to serve at the pleasure of the County Executive. The Emergency Management Director is to be Administrator Supervised unless a plan of re-organization of County Government adopted as provided in Section 5.21 provides otherwise.

5.15.4. To be qualified to be appointed as Emergency Management Director, a Person must meet the qualification requirements in Section 5.20 and at the time of his or her appointment must have management or administrative experience in the coordination of responses by government and public safety agencies to disasters and emergencies.

5.15.5. The Emergency Management Director is to be the head of the Department of Emergency Management and is to have the powers and duties regarding the coordination of emergency management and preparedness in the County that are established by Ordinances adopted by the County Council, to be exercised and performed by the Emergency Management Director and other Persons in the Department of Emergency Management under the control, management and supervision of the Emergency Management Director.

SECTION 5.16. DEPARTMENT OF THE PUBLIC ADMINISTRATOR.

5.16.1. The Department of the Public Administrator is to be supervised and managed by a County Officer referred to in this Charter as the "Public Administrator" but whose official title is "Public Administrator of Jefferson County."

5.16.2. Until January 1, 2013, the Public Administrator is to be the Person who was elected public administrator of Jefferson County at the general election in November, 2008.

5.16.3. The Public Administrator is to be elected at large at the general election in November, 2012, and at general elections thereafter, for terms of four years each that begin on the January 1st following his or her election.

5.16.4. To be qualified to be elected as Public Administrator, a Person must meet the qualification requirements in Section 5.20 and must certify to the County Clerk at the time of filing for election that he or she meets these requirements and is able to perform the duties of Public Administrator. To be qualified to continue to serve as Public Administrator, a Person must have completed all training for public administrators required by Missouri Law, if any, within the time required by Missouri Law.

5.16.5. The Public Administrator is to be the head of the Department of the Public Administrator and has the following powers and duties, to be exercised and performed by the Public Administrator and other Persons in the Department of the Public Administrator under the control, management and supervision of the Public Administrator.

5.16.6. The Public Administrator has all the powers and duties of the office of public administrator of a first class county as provided under Missouri Law, including first class counties having a charter form of government and first class counties not having a charter form of government, to the extent not inconsistent with the provisions of this Charter or with any plan of re-organization of County Government adopted as provided in Section 5.21. In cases where Missouri Law provides for different powers or duties for public administrators of a first class county not having a charter form of government and public administrators of a first class county having a charter form of government, a provision of Missouri Law governing the former is to be controlling except to the extent that the County Council provides explicitly by Ordinance that a provision of Missouri Law governing the latter is to be controlling.

SECTION 5.17. DEPARTMENT OF ADMINISTRATIVE SERVICES.

5.17.1. The Department of Administrative Services is to be supervised and managed by a County Officer referred to in this Charter as the "Director of Administration" but whose official title is "Director of Administration of Jefferson County."

5.17.2. Until January 1, 2011, unless sooner replaced by the County Executive with the advice and consent of the County Council, the Director of Administration is to be the Person who was serving as director of administration of Jefferson County when this Charter was adopted.

5.17.3. The Director of Administration is to be appointed by the County Executive with the advice and consent of the County Council. The Director of Administration may be removed from his office only (1) upon the affirmative vote to remove by a majority of All Council Votes after recommendation of his or her removal by the County Executive, or (2) upon the affirmative vote to remove of All Council Votes. Except in his or her capacity as the administrator of the Merit System as provided in this Charter, the Director of Administration is to be Administrator Supervised unless a plan of re-organization of the County Government adopted as provided in Section 5.21 provides otherwise.

5.17.4. To be qualified to be appointed as Director of Administration, a Person must meet the qualification requirements in Section 5.20 and at the time of his or her appointment must either (1) have a bachelor's or higher degree in business or public administration or a related discipline, (2) have previously served as the Director of Administration of Jefferson County or in an equivalent position in the County Government before this Charter was adopted, or (3) have at least five years experience in public administration or equivalent other experience.

5.17.5. The Director of Administration is to be head of the Department of Administrative Services and as such is to be the principal managerial aide to the County Executive. Except to the extent that the Sheriff is to administer the Merit System with respect to personnel in the Department of the Sheriff as provided in this Charter, the Director of Administration is to administer the entire Merit System established as provided in the Charter. Until the Transition Period ends, the County Executive is to supervise all appointed County Officers. After the Transition Period, the Director of Administration is to supervise all appointed County Officers pursuant to policies established by the County Executive unless a plan of re-organization of the County Government adopted as provided in Section 5.21 provides otherwise. The Director of Administration is to advise the County Executive regarding all administrative matters in the County Government and is to maintain the web site sponsored by the County where notices and other items are posted as required by this Charter. The Director of Administration is also to have those powers and duties that are assigned to him or her by Ordinance or delegated to him or her by the County Executive, to be exercised and performed by the Director of Administration and other Persons in the Department of Administrative Services under the control, management and supervision of the Director of Administration.

SECTION 5.18. CIRCUIT CLERK.

5.18.1. In addition to the Departments provided for in this Charter, there is to be a County Officer referred to in this Charter as the "Circuit Clerk" but whose official title is "Circuit Clerk of Jefferson County."

5.18.1.1. Until January 1, 2011, the Circuit Clerk is to be the Person who was elected circuit clerk of Jefferson County at the general election in November, 2006.

5.18.1.2. The Circuit Clerk is to be elected at large at the general election in November, 2010, and thereafter for terms of four years each that begin on the January 1st following his or her election.

5.18.1.3. To be qualified to be elected as Circuit Clerk, a Person must meet the qualification requirements in Section 12.2 and must certify to County Clerk at the time of filing for election that he or she meets these requirements and is able to perform the duties of Circuit Clerk.

5.18.1.4. The Circuit Clerk is not to be the head of a Department of County Government, but is the chief administrative officer of the Circuit Court of Jefferson County. The Circuit Clerk has all the powers and duties of the office of clerk of the circuit court of a first class county as provided

under Missouri Law, including first class counties having a charter form of government and first class counties not having a charter form of government. In cases where Missouri Law provides for different powers or duties for clerks of the circuit courts of first class counties not having a charter form of government and clerks of the circuit courts of first class counties having a charter form of government, a provision of Missouri Law governing the former is to be controlling except to the extent that the County Council provides explicitly by Ordinance that a provision of Missouri Law governing the latter is to be controlling.

SECTION 5.19. COMMON DUTIES OF ALL COUNTY OFFICERS.

5.19.1. All elected and appointed County Officers must ensure that they and their Departments account for and deposit, to the full extent required by Missouri Law or by Ordinance, all moneys paid or required by Missouri Law or Ordinance to be paid to the Director of Administration or the Department of Administrative Services. All elected and appointed County Officers must coordinate their activities and freely share information and technology maintained or employed by each Department and Division with every other Department and Division so as to avoid duplication of effort and maximize the efficiency of the County Government and the responsiveness of the County Government to the Citizens of the County.

5.19.2. In managing and administering their Departments, all elected and appointed County Officers must ensure compliance with the requirements of any purchasing policy established as provided in this Charter and all annual budgets adopted by Ordinance as provided in this Charter.

5.19.3. In managing and administering their Departments, all elected and appointed County Officers must ensure compliance with the requirements of the Merit System that are applicable to their Departments.

5.19.4. To assist the County Executive in preparing the annual budget and accompanying message for submission to the County Council as required in this Charter, each elected and appointed County Officer who is the head of a Department must prepare and submit to the County Executive and the Auditor a proposed budget for his or her Department for the ensuing fiscal year. In addition, each elected and appointed County Officer who is the head of a Department must prepare and submit to the County Executive and the Auditor a report on the operations of his or her Department since the previous budget submission to the County Council and the conformance of his or her Department to the budget in effect for the current fiscal year. The proposed budget and report must be submitted to the County Executive and the Auditor no later than first day of the tenth month of each fiscal year.

5.19.5. Elected County Officers who are not Administrator Supervised have the duty to establish by directive from time to time systems of administrative organization for the Departments they head, after consultation with the Director of Administration and the County Executive so that all systems of administrative organization in the County Government are as consistent as possible given the different governmental functions of the Departments.

SECTION 5.20. ELIGIBILITY REQUIREMENTS FOR ALL APPOINTED OFFICERS.

To be qualified to be appointed as an appointed County Officer, a Person at the time of his or her appointment must be at least 24 years of age and must have been a Citizen for at least twelve months.

SECTION 5.21. GOVERNMENT RE-ORGANIZATION.

5.21.1. Annually after the end of the Transition Period, as part of the process of preparing and submitting a budget to the County Council for adoption for the ensuing year, the County Executive is to review the operations of every Department. The Director of Administration is to assist the County Executive in performing this review and the heads of the Departments are to be consulted. After this review, (1) the County Executive may recommend to the County Council that it create an additional

Department and provide for appointment of the head of the additional Department; (2) the County Executive may recommend to the County Council that the Director of Administration become the supervisor of one or more heads of Departments of which the Director of Administration has not previously been the supervisor or that the Director of Administration cease to be the supervisor of one or more heads of Departments of which the Director of Administration previously had been the supervisor; and the County Executive may recommend to the County Council that it transfer clerical, record keeping, data storage and processing, or other governmental functions and Persons performing those functions from one Department to another Department. The County Council may by Ordinance create any recommended Department, change the supervisor status of the Director of Administration as recommended, and make any recommended transfer of governmental functions and Persons performing those functions, but if the head of any Department that would be directly affected by a change in the supervisory status of the Director of Administration or a transfer is an elected County Officer, the Ordinance can not be adopted unless that elected County Officer concurs that the change or transfer should be made. If the office of the Circuit Clerk will be effected by a recommended change in supervisory status of the Director of Administration or any transfer, the Ordinance can not be adopted unless a majority of the circuit judges of the County concur.

5.21.2. The County Executive may at any time, after consultation with the head of the affected Department, recommend to the County Council that it split the performance of governmental functions within a Department into separate Divisions of that Department. The County Council may by Ordinance make any recommended split, but if the head of the Department that would be involved in the split is an elected County Officer, the Ordinance can not be adopted unless that County Officer concurs that the split should be made. If the office of the Circuit Clerk will be affected by the recommended split, the Ordinance can not be adopted unless a majority of the circuit judges of the County concur.

ARTICLE VI. BOARDS AND COMMISSIONS

SECTION 6.1. EXISTING BOARDS AND COMMISSIONS.

Every board and commission of Jefferson County in existence when this Charter was adopted is to continue to function under the provisions of Law governing it until the County Council by Ordinance reconstitutes it.

SECTION 6.2. PUBLIC SAFETY COMMISSION.

6.2.1. The County Council by Ordinance must create a Public Safety Commission before March 1, 2009.

6.2.1.1. The Public Safety Commission is to be composed of at least ten members appointed, and re-appointed in the case of vacancies, by the County Executive with the advice and consent of the County Council. The members of the Public Safety Commission must include:

- 6.2.1.1.1. a chief or administrator of a fire protection district;
- 6.2.1.1.2. a chief or administrator of a municipal fire department;
- 6.2.1.1.3. a chief or administrator of an emergency medical services district;
- 6.2.1.1.4. a representative of Jefferson County 9-1-1 Dispatch;
- 6.2.1.1.5. a representative of a municipal police department;

- 6.2.1.1.6. a representative of the County Sheriff;
- 6.2.1.1.7. a representative of a public health agency;
- 6.2.1.1.8. a representative of the Department or Division of Public Works;
- 6.2.1.1.9. a Registered Voter who is not a director, officer, representative, agent, contractor or employee of any of the districts, departments or organizations mentioned in this Section 6.2.1; and
- 6.2.1.1.10. the Emergency Management Director.

6.2.1.2. The members of the Public Safety Commission must adopt before September 1, 2009, by majority vote of all the members, bylaws governing its activities and proceedings. These bylaws may provide that the Public Safety Commission is to have additional members representing districts, departments or organizations other than those mentioned in Section 6.2.1, in which case the additional members are to be appointed by the County Executive with the advice and consent of the County Council as provided in Section 6.2.1.1.

6.2.1.3. Prior to the appointment of members of the Public Safety Commission the County Executive is to obtain recommendations from members from the governing bodies of the districts, departments and organizations mentioned in this Section 6.2.1 and any countywide associations thereof.

6.2.1.4. The terms of the members of the Public Safety Commission are to be staggered as follows: Three of the original members are to be appointed to serve a one year term; three of the original members are to be appointed to serve a two year term; and three of the original members are to be appointed to serve a three year term. Members thereafter appointed upon the expiration of the terms of the original members are to be appointed for terms of three years each.

6.2.1.5. The Department of Emergency Management must consult with the Public Safety Commission on all policy and procedural matters affecting the County generally.

6.2.1.6. Before September 1, 2009, the Public Safety Commission is to consider and propose to the County Council for adoption by Ordinance an emergency operations plan for the County. The plan must contain provisions establishing how an emergency is declared and for prompt notification of the County Council of the declaration of an emergency. At least every two years, the Public Safety Commission is to review the emergency services plan and propose any necessary or appropriate changes to the County Council for adoption by Ordinance.

6.2.1.7. The Public Safety Commission is to consider and recommend for adoption by all affected emergency services districts common standards for performance, training, procedures and equipment.

6.2.1.8. The Public Safety Commission may, if approved by the County Council by Ordinance and the governing bodies of the affected district or Municipality, enter into a written agreement with any emergency services district to impose or enforce standards for performance, training, procedures or equipment, and for other functions relating to emergency management and preparedness. In acting pursuant to any such agreement, the Public Safety Commission must conform to the National Incident Management Systems (NIMS) or its equivalent.

SECTION 6.3. CODE COMMISSION.

6.3.1. The County Council by Ordinance must create a Code Commission before March 1, 2009.

6.3.1.1. The members of the Code Commission must adopt before September 1, 2009, by majority vote of all the members, bylaws governing its activities and proceedings.

6.3.1.2. The Code Commission must consider, and no later than January 15, 2011, propose to the County Council for adoption, Ordinances (1) establishing the enforcement authority of the Division of Code Enforcement, (2) establishing procedures complying with Missouri Law for hearings in response to complaints of violations of Building Codes filed by the Division of Code Enforcement with the Code Commission, (2) granting subpoena power to the Code Commission and/or the Division of Code Enforcement in aid of those hearings and the enforcement of Building Codes generally, and providing for delegation of that power to officers conducting evidentiary hearings, (3) providing for fines and revocation of licenses, after a hearing, for one or more substantial violations of the Building Codes, (4) providing for debarment, after a hearing, from performing work for the County of contractors or subcontractors who substantially violate one or more of the Building Codes, and (5) covering any other matter pertaining to the adoption and scope of Building Codes and the enforcement powers of the Code Commission and the Division of Code Enforcement, including but not limited to appeals from their decisions.

6.3.1.3. Whenever the model code on which the Building Codes of the County are based is revised, but in any event once every three years and more often if the Code Commission determines it to be necessary, the Code Commission must review all Building Codes and related Ordinances adopted by the County Council and propose to the County Council for adoption by Ordinance any modification, or repeal, of those Building Codes and Ordinances that the Code Commission determines is necessary or appropriate.

6.3.1.4. In considering proposals to the County Council for adoption, modification or repeal of Building Codes and related Ordinances, the Code Commission must make a finding, based upon reasonably available information, of the public benefits to be derived and the costs of enforcement and compliance, including increases in costs of construction.

6.3.1.5. The County Council is to promptly consider all proposals from the Code Commission, including its findings regarding the benefits and costs of compliance with proposed Building Codes and Ordinances, and either adopt them as proposed, reject them, or adopt them in modified form.

6.3.1.6. Building Codes and Ordinances proposed by the Code Commission and adopted by the County Council may include provisions requiring contractors, subcontractors and individual journeymen, workmen and apprentices who perform work within the scope of the Building Codes to be licensed based upon threshold requirements for experience, skill, training, financial responsibility, insurability, and meeting continuing education requirements that are established in the relevant Building Codes or Ordinances.

6.3.1.7. Building Codes adopted by the County Council and the enforcement powers of the Code Commission and the Division of Code Enforcement will apply only in unincorporated parts of Jefferson County except to the extent provided otherwise in intergovernmental agreements between Jefferson County and any city, town, village, municipality or district in Jefferson County.

6.3.1.8. The Code Commission is to be composed of at least seven members appointed, and re-appointed in the case of vacancies, by the County Executive with the advice and consent of the County Council. At least five members of the Code Commission must meet such requirements for knowledge and experience regarding design and construction as may be prescribed by Ordinance. At least one member of the Code Commission must be a general contractor, construction manager, or officer, director or manager of a general contractor or construction manager. At least one member of the Code Commission must be a representative of the general public who is a Registered Voter who is not a design professional and who does not have experience as a general contractor,

construction manager, or officer or manager of a general contractor or construction manager, is not a supervisor, master craftsman, journeymen or apprentice in a construction trade, is not employed in the construction industry, and is not a supplier or an officer, director, manager, or employee of a supplier to the construction industry.

SECTION 6.4. OTHER BOARDS AND COMMISSIONS.

6.4.1. The County Council by Ordinance may create such other boards and commissions as it may deem beneficial.

6.4.1.1. The enabling Ordinance for any such other board or commission must prescribe the duties and functions of each board and commission, and must specify the number, terms and responsibilities of members.

6.4.1.2. Except as is otherwise required by Law, members of all such other boards and commissions are to be appointed by the County Executive with approval of the Council.

SECTION 6.5. GENERAL PROVISIONS REGARDING BOARDS AND COMMISSIONS.

6.5.1. Membership on any board or commission is to be limited to Registered Voters who have resided in Jefferson County for at least one year.

ARTICLE VII. COUNTY FINANCES

SECTION 7.1. FISCAL YEAR.

The fiscal year of the County is to begin on the first day of January and end on the last day of December unless a different fiscal year is established by Ordinance.

SECTION 7.2. ANNUAL BUDGET.

7.2.1. An annual budget for the County must be prepared and adopted as required by this Charter and, to the extent not inconsistent with this Charter, in accordance with Missouri Law. The County Executive is designated as the Budget Officer.

7.2.2. On or before the first day of the eleventh month of each fiscal year, the County Executive must submit to the County Council a proposed budget for the ensuing fiscal year, and an accompanying message. The County Auditor is to assist the County Executive in preparing the proposed budget. In preparing the proposed budget, the County Executive must review the proposed budgets for the Departments submitted to the County Executive and the Auditor by County Officers who are heads of Departments as required by this Charter.

7.2.3. The County Executive's message must explain the fiscal aspects of the proposed budget and the impact of the proposed budget on the programs it supports. It must describe the proposed financial policies of the County for the ensuing fiscal year and describe the important features of the budget. It must identify any major changes from the current year in financial policies, expenditures, and revenues together with the reasons for the changes. It must summarize the County's debt position and include other material that the County Executive deems desirable.

7.2.4. The proposed budget is to be in such form as the County Executive deems desirable or the County Council may require but must provide a complete financial plan for all County funds and activities for the ensuing fiscal year. The proposed budget is to begin with a clear general summary of its contents. It must show in detail all estimated revenues, proposed tax levies, and all proposed

expenditures, including debt service, for the ensuing fiscal year. It must be so arranged as to show comparative figures for actual and estimated revenues and expenditures for the current fiscal year and actual revenues and expenditures for the preceding fiscal year. It must describe in separate sections:

7.2.4.1. proposed goals, objectives and expenditures for current operations during the ensuing fiscal year, detailed for each fund by organizational unit and program, purpose or activity, and the method of financing those expenditures;

7.2.4.2. proposed capital expenditures during the ensuing fiscal year, detailed for each fund by organizational unit when practicable, and the proposed method of financing each capital expenditure; and

7.2.4.3. the anticipated income and expense and profit and loss for the ensuing year for each utility or other enterprise fund operated by the County.

7.2.5. The proposed budget must provide that, for any fund, the total of proposed expenditures must not exceed the total of estimated revenues plus fund balances carried forward, exclusive of reserves.

7.2.6. The County Council must schedule a public hearing on the proposed budget. At least ten days before the date of the hearing, the County Executive must publish a notice of the public hearing and a summary of the proposed budget in a newspaper of general circulation in the County, and post the summary at a public place in each of the Council Districts and on a County sponsored web page on the internet in Electronic Form. The following information must be included in the notice of the public hearing:

7.2.6.1. the times and places where copies of the County Executive's message and the proposed budget are available for inspection by the public; and

7.2.6.2. the time and place for the public hearing.

7.2.7. After the public hearing on the proposed budget, the County Council may adopt the proposed budget with or without amendment. In amending the proposed budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts, except expenditures required by Missouri Law or for debt service or for any estimated cash deficit, provided that no amendment to the proposed budget may increase the authorized expenditures from any fund to an amount greater than the total estimated revenues of the fund plus the fund balances carried forward.

7.2.8. No later than the last day of the fiscal year, the County Council by Ordinance must adopt the proposed budget as the County budget for the ensuing fiscal year. If the Council fails to adopt a budget by this date, the budget proposed by the County Executive is to be deemed approved.

7.2.9. To implement the adopted budget, the County Council must adopt in accordance with Missouri Law:

7.2.9.1. an appropriation Ordinance making appropriations by Department, Division or other organizational unit and authorizing a single appropriation for each program or activity; and

7.2.9.2. a tax levy Ordinance authorizing the tax levies and setting the tax rates; and

7.2.9.3. any other Ordinances required to authorize new revenues or to amend the rates or other features of existing taxes or other revenue sources.

7.2.10. If during the fiscal year the County Executive certifies that there are revenues available for appropriation in excess of those estimated in the budget, the County Council by Ordinance may make supplemental appropriations for the year up to the amount of such excess.

7.2.11. To meet a public emergency affecting life, the public peace, health, property, safety or welfare, the County Council may make emergency appropriations by emergency Ordinance as provided in this Charter. To the extent un-appropriated revenues are not available nor are there sufficient fund balances to meet emergency appropriations, the County Council may by the emergency Ordinance authorize the issuance of emergency notes. These may be renewed from time to time, but emergency notes issued in any fiscal year must be paid not later than the last day of the next succeeding fiscal year.

7.2.12. If at any time during a fiscal year it appears probable to the County Executive that the revenues and fund balances available will be insufficient to finance the expenditures for which appropriations have been authorized, the County Executive must report to the County Council, without delay, the estimated amount of the deficit, any remedial action taken by the County Executive and recommendations for other steps to be taken. The County Council must then take such further action as it deems necessary to prevent or reduce any deficit and for that purpose it may by Ordinance reduce appropriations.

7.2.13. Except as otherwise provided in 7.2.14:

7.2.13.1. at any time during a fiscal year, the County Council by Ordinance may transfer within a Department all or any part of any unencumbered appropriation balance;

7.2.13.2. at any time during a fiscal year, a Department may transfer all or any part of any unencumbered line item authorization to another line item within the same Department with the written approval of the County Executive;

7.2.13.3. at any time during a fiscal year, the County Council by Ordinance may transfer all or any part of any unencumbered appropriation balance from one Department or fund to another Department or fund; and

7.2.13.4. at any time during a fiscal year, the County Council by Ordinance may transfer all or any part of any unencumbered appropriation balance to a new line item in the budget.

7.2.14. No appropriation for debt service and no appropriation of funds designated by Law for a specified purpose may be reduced or transferred and no appropriation may be reduced below any amount required by Law to be appropriated or by more than the amount of its unencumbered balance. Supplemental and emergency appropriations and reduction or transfer of appropriations authorized by this Section may be made effective immediately upon adoption.

7.2.15. Every appropriation, except an encumbered appropriation for a capital expenditure, must lapse at the close of the fiscal year.

7.2.16. The County Council must provide by Ordinance procedures for administering the budget that are necessary and do not conflict with this Charter.

7.2.17. No payment is to be made or an obligation incurred against any allotment or appropriation except in accordance with appropriations duly made. Any authorization of payment or incurring of an obligation in violation of this Charter is void. A violation of this provision is cause for removal of any County Officer who knowingly authorized or made the payment or incurred the obligation. The offending County Officer is also liable to the County for any amount so paid. Except where prohibited by Law, however, nothing in this Charter is to be construed to prevent the making or authorizing of payments or making of contracts for capital improvements to be financed wholly or partly by the

issuance of bonds or to prevent the making of any contract or lease providing for payments beyond the end of the fiscal year, or in any other manner, if they are made or approved by Ordinance.

SECTION 7.3. CAPITAL PROGRAM.

7.3.1. The County Executive must prepare and submit to the County Council a five year capital program and strategic plan no later than three months prior to the final date for submission of the proposed budget.

7.3.2. The capital program and strategic plan is to be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition. The capital program and strategic plan must include the following:

7.3.2.1. a clear general summary of its contents;

7.3.2.2. a list of all capital improvements and other capital expenditures which are proposed to be undertaken during the five fiscal years next ensuing, with appropriate supporting information as to the necessity for each;

7.3.2.3. cost estimates and recommended time schedules for each improvement or other capital expenditure;

7.3.2.4. the method of financing upon which each capital expenditure is to rely;

7.3.2.5. the estimated annual cost of operating and maintaining the facilities to be constructed or acquired;

7.3.2.6. forecasts and analysis of the capital program with all other capital and non-capital expenditures; and

7.3.2.7. a strategic plan outlining anticipated expenditures to be undertaken during the five fiscal years next ensuing, with appropriate supporting information as to the necessity for each.

7.3.3. The County Council must schedule a public hearing on the capital program and strategic plan. At least ten days before the date of the hearing, the County Executive must publish a notice of the public hearing and a summary of the capital program and strategic plan in a newspaper of general circulation in the County, and post the summary at a public place in each of the Council Districts and on a County sponsored web page on the internet in Electronic Form. The following information must be included in the notice of the public hearing:

7.3.3.1. the times and places where copies of the capital program and strategic plan are available for inspection by the public; and

7.3.3.2. the time and place for the public hearing.

7.3.4. The County Council by resolution must adopt the capital program and strategic plan, with or without amendment, after the public hearing and no later than two months prior to final date for submission of the proposed budget.

SECTION 7.4. ANNUAL EXTERNAL AUDITS.

The County Executive is to engage a certified public accounting firm selected by the County Council to perform an external audit within six months after the end of each fiscal year. The certified public accounting firm is to be instructed to deliver their final audit report to the County Executive. The County Executive must within five days after receipt submit the final audit report to the County Council for its approval.

SECTION 7.5. PUBLIC RECORDS.

Copies of the budget, capital program and appropriation and revenue Ordinances are public records and must be made available to the public.

SECTION 7.6. REGISTRATION OF WARRANTS.

Before the delivery of any County warrant to a lender, it must be registered by entering upon the books of the County Treasurer the date, amount, and serial number of the warrant, in whose favor the warrant is drawn, by whom the warrant was presented and the date on which the warrant was presented to the County Treasurer for registration. A warrant so registered and delivered to a lender is to have preference and priority in payment from the date of its registration over all warrants subsequently registered and over all unregistered warrants.

SECTION 7.7. COMPENSATION.

7.7.1. Council Members.

7.7.1.1. The annual salary of each Council Member is to be as follows:

7.7.1.1.1. Zero for the two calendar years beginning on January 1, 2010.

7.7.1.1.2. \$10,000 for the calendar year beginning on January 1, 2012.

7.7.1.1.3. For any calendar year after 2012, the annual salary of Council Members is to be as provided for by specific Ordinance or by adoption of a budget for that year as provided in this Charter. If the annual salary of Council Members is increased, that increase is not to go into effect until the January 1st following the expiration of the current terms of all Council Members who voted affirmatively for the increase.

7.7.1.1.4. If in any calendar year after 2011 the County Council by specific Ordinance or by adoption of a budget for the next calendar year increases the base salary level of employees of the County generally by a percentage amount to compensate for increases in the cost of living, then commencing on the next January 1st the annual salary of each Council Member is to be increased by the same percentage.

7.7.1.2. Council Members are not to be provided an expense allowance. If the County Council so provides by Ordinance, Council Members may be reimbursed, not to exceed an annual maximum that the applicable Ordinance must specify, for their ordinary and necessary expenses of performing their duties under this Charter for which they have supporting documentation as required by the applicable Ordinance that shows the dates, nature and purposes of the expenses.

7.7.2. County Executive.

7.7.2.1. The annual salary of each member of the Board of Executives who was a Person elected as an Associate Commissioner of Jefferson County at the general election in November, 2008, is to be the same as the annual salary that would have been payable to him or her as an Associate Commissioner of Jefferson County had this Charter not been adopted.

7.7.2.2. The annual salary of the member of the Board of Executives who was the Presiding Commissioner of Jefferson County when this Charter was adopted is to be the same as the annual salary that would have been payable to him or her as Presiding Commissioner of Jefferson County had this Charter not been adopted.

7.7.2.3. The annual salary of each Person serving as a Transition Executive is to be the same as the annual salary that would have been payable to him or her as an Associate Commissioner of Jefferson County had this Charter not been adopted.

7.7.2.4. Commencing January 1, 2011, the annual salary of the County Executive is to be \$72,000.

7.7.2.5. For any calendar year after 2011, the annual salary of the County Executive is to be as provided for by specific Ordinance or by adoption of a budget for that year as provided in this Charter, provided that the annual salary of the County Executive is not to be less than the annual salary of the presiding commissioner of a first class county not having a charter form of government as provided by Missouri Law and not more than 110% of the annual salary of the presiding commissioner of a first class non-charter county as provided by Missouri Law.

7.7.2.6. If in any calendar year after 2011 the County Council by specific Ordinance or by adoption of a budget for the next calendar year increases the base salary level of employees of the County generally by a percentage amount to compensate for increases in the cost of living, then commencing on the next January 1st the annual salary of the County Executive is to be increased by the same percentage.

7.7.2.7. The County Executive is not to be provided an expense allowance. If the County Council so provides by Ordinance, the County Executive may be reimbursed, not to exceed an annual maximum that the applicable Ordinance must specify, for the ordinary and necessary expenses of the County Executive incurred in performing the County Executive's duties for which the County Executive has supporting documentation as required by the applicable Ordinance that shows the dates, nature and purposes of the expenses.

7.7.3. Elected County Officers.

7.7.3.1. Until January 1, 2010, the annual salary of the Sheriff is to be the same as the annual salary that would have been payable to him or her as Sheriff of Jefferson County had this Charter not been adopted.

7.7.3.2. Until January 1, 2010, the annual salary of the County Clerk is to be the same as the annual salary that would have been payable to him or her as County Clerk of Jefferson County had this Charter not been adopted.

7.7.3.3. Until January 1, 2010, the annual salary of the County Assessor is to be the same as the annual salary that would have been payable to him or her as Assessor of Jefferson County had this Charter not been adopted.

7.7.3.4. Until January 1, 2010, the annual salary of the County Collector is to be the same as the annual salary that would have been payable to him or her as Collector of Jefferson County had this Charter not been adopted.

7.7.3.5. Until January 1, 2010, the annual salary of the County Treasurer is to be the same as the annual salary that would have been payable to him or her as County Treasurer of Jefferson County had this Charter not been adopted.

7.7.3.6. Until January 1, 2010, the annual salary of the County Auditor is to be the same as the annual salary that would have been payable to him or her as County Auditor of Jefferson County had this Charter not been adopted.

7.7.3.7. Until January 1, 2010, the annual salary of the County Recorder is to be the same as the annual salary that would have been payable to him or her as County Recorder of Jefferson County had this Charter not been adopted.

7.7.3.8. Until January 1, 2010, the annual salary of the Prosecuting Attorney is to be the same as the annual salary that would have been payable to him or her as prosecuting attorney of Jefferson County had this Charter not been adopted.

7.7.3.9. Until January 1, 2010, the annual salary of the Circuit Clerk is to be the same as the annual salary that would have been payable to him or her as Circuit Clerk of Jefferson County had this Charter not been adopted.

7.7.3.10. Until January 1, 2010, the annual salary of the Public Administrator is to be the same as the annual salary that would have been payable to him or her as public administrator of Jefferson County had this Charter not been adopted.

7.7.3.11. For every calendar year after 2009, the annual salary of every elected County Officer is to be as provided for by specific Ordinance or by adoption of a budget for that year as provided in this Charter, provided that the annual salary of each County Officer is not to be less than the annual salary of the holder of the equivalent office in a first class non-charter county as provided by Missouri Law and not more than 110% of the annual salary of the holder of the equivalent office of a first class non-charter county as provided by Missouri Law.

7.7.4. Appointed County Officers.

7.7.4.1. Until January 1, 2010, the annual salary of the County Counselor is to be the same as the annual salary that would have been payable to him or her as county counselor of Jefferson County had this Charter not been adopted.

7.7.4.2. Until January 1, 2010, the annual salary of the Public Works Director is to be the same as the annual salary that would have been payable to him or her as public works director of Jefferson County had this Charter not been adopted.

7.7.4.3. Until January 1, 2010, the annual salary of the Director of Administration is to be the same as the annual salary that would have been payable to him or her as director of administration of Jefferson County had this Charter not been adopted.

7.7.4.4. If the medical examiner of Jefferson County when this Charter was adopted was serving pursuant to a contract of engagement, the annual salary of the Medical Examiner is to be as provided in the contract. If the medical examiner of Jefferson County when this Charter was adopted was appointed and not engaged by contract, then until January 1, 2010, the annual salary of the Medical Examiner is to be the same as the annual salary that would have been payable to him or her as medical examiner of Jefferson County had this Charter not been adopted.

7.7.4.5. For every calendar year after 2009, the annual salary of a Medical Examiner serving pursuant to a contract of engagement is to be the annual salary provided in the contract.

7.7.4.6. For every calendar year after 2009, the annual salary of every appointed County Officer, other than a Medical Examiner serving pursuant to a contract of engagement, is to be as provided for by specific Ordinance or by adoption of a budget for that year as provided in this Charter.

7.7.5. Except as otherwise provided by Law, members of boards and commissions are to serve without compensation unless the County Council provides otherwise by Ordinance. The County

Council may not provide for compensation of members of boards and commissions before January 1, 2012.

**ARTICLE VIII.
PERSONNEL ADMINISTRATION**

SECTION 8.1. MERIT SYSTEM

The County Employees Merit System Commission established by this Charter must, within two years after this Charter is adopted, recommend for adoption by the County Council a personnel administration program under the direction of the Director of Administration that implements policies and procedures consistent with this Charter and the merit system principles contained in Section 8.2, and by July 1, 2011, the County Council must establish by Ordinance such a program. All County employees, except those designated as exempt, must be covered by the Merit System so established.

SECTION 8.2. MERIT SYSTEM PRINCIPLES

The Merit System must incorporate the following principles:

1. Applicants for County employment or promotion must meet minimum standards for their position and decisions for their selection must be made by the department head or elected official overseeing said position;
2. Retention of County employees must be based on ability and merit;
3. Involuntary discharge from employment, suspension without pay, or reduction in pay must occur only for just cause, and those so disciplined must be entitled to a review hearing before a Merit System Commission;
4. County employees must be provided equivalent pay and benefits for substantially equivalent work;
5. County employees must be provided a written procedure to report and resolve grievances;
6. County employees may voluntarily participate in political activities outside working hours, but participation or nonparticipation in any political activity must not be a term or condition of employment.
7. Employees of the Sheriff's Department are to be subject to such additional policies and procedures governing their employment, conduct, discipline and termination of employment that meet the standards for accreditation of the Department of the Sheriff by the Commission on Accreditation for Law Enforcement Agencies, Inc. or any successor or comparable organization or body that is recognized generally in the United States as an organization providing accreditation of a similar or better quality.

SECTION 8.3. MERIT SYSTEM EXEMPTIONS

The Merit System must not apply to the following exempt persons:

- 8.3.1. any elected County Officer;
- 8.3.2. any County Officer appointed by the County Executive with the advice and consent of the County Council;

- 8.3.3. the County Counselor;
- 8.3.4. the first assistant Prosecuting Attorney;
- 8.3.5. the undersheriff;
- 8.3.6. any member of a board or commission established as provided in this Charter;
- 8.3.7. any head of a Department;
- 8.3.8. any probationary employee;
- 8.3.9. any person employed in casual employment for a period not in excess of ninety days because of temporary increases in the volume of work or emergency conditions. The County Employees Merit System Commission or Sheriff's Department Merit System Commission, as applicable, may upon majority vote of its members extend a temporary period of employment in increments not in excess of ninety days.

SECTION 8.4. DUTIES OF DIRECTOR OF ADMINISTRATION

The Director of Administration must coordinate the acquisition of information regarding applicants for all positions of employment with the County Government and forward such information to County Officers for reference in hiring decisions, and must certify all additions, deletions and changes in payrolls of the Merit System participants. The Director of Administration's decision to certify or not to certify changes in the payroll may be overturned by the County Executive, subject to appeal to the County Employees Merit System Commission, or in the case of participants who are employed by the Sheriff's Department, to the Sheriff's Department Merit System Commission. The Director of Administration may appeal any modification of his or her certification by the Chief Executive to the County Employees Merit System Commission, or in the case of participants who are employed by the Sheriff's Department, to the Sheriff's Department Merit System Commission.

SECTION 8.5. MERIT SYSTEM COMMISSIONS

8.5.1. There must be a County Employees Merit System Commission composed of five Citizens who are County residents, not more than three of whom may be members of the same political party, initially appointed by the Board of Executives. For vacancies occurring after January 1, 2011, members must be appointed by the County Executive with the advice and consent of the County Council. Members of the County Employees Merit System Commission must be in sympathy with the Merit System principles contained in this Charter, must hold no other appointed County office, must not be a County employee, must serve staggered terms of four years as provided by ordinance of the County Council.

8.5.2. There must be a Sheriff's Department Merit System Commission composed of five Citizens who are County residents, not more than three of whom may be members of the same political party, appointed by the Sheriff with the advice and consent of the County Council. Members of the Sheriff's Department Merit Commission must be in sympathy with the Merit System principles contained in this Charter, must hold no other appointed County office, must not be a County employee, must serve staggered terms of four years as provided by ordinance of the County Council.

8.5.3. The County Employees Merit System Commission must make recommendations as directed in Section 1.1 of this Article, must hold review hearings and hear appeals concerning any County employee covered by the Merit System, except employees of the Sheriff's Department, and must review and evaluate the Merit System operation and from time to time recommend to the County Council and the County Executive changes in policies and procedures for improved operation of the County Employee's Merit System.

8.5.4. The Sheriff's Department Merit System Commission must hold review hearings and hear appeals concerning any Sheriff's Department employee covered by the Merit System and must review and evaluate the Merit System operation and from time to time recommend to the County Council and the Sheriff changes in policies and procedures for improved operation of the Merit System.

ARTICLE IX. CONFLICTS OF INTEREST

SECTION 9.1.

The provisions of this Section are to prevent county Officers and employees from securing any financial advantages, however indirect, from their public affiliations, other than their County compensation. The provisions also prevent the use of county resources for partisan political gain.

SECTION 9.2.

Any officer or employee of Jefferson County who willfully conceals any such interest or violates any of the provisions of this Section shall forfeit his office. Any contract made in violation of this Section may be declared void by the County Executive or by resolution of the County Council.

SECTION 9.3.

No officer or employee of Jefferson County, whether elected or appointed, may in any manner whatsoever be interested in or receive any benefit from any contract, job, work, activity, function, or service for Jefferson County. No officer or employee may act or refrain from acting in any capacity in which he is Lawfully empowered to act as such an official or employee by reason of any payment, offer to pay, promise to pay, or receipt of anything of actual value, other than compensation to be paid by Jefferson County. No officer or employee may accept any service or thing of value, directly or indirectly, from any person, firm or corporation having dealings with Jefferson County, upon more favorable terms than those granted to the public generally. No officer or employee may receive, directly or indirectly, any part of any fee, commission or other compensation paid by or payable to Jefferson County, or by any person in connection with any dealings with Jefferson County, or by any person in connection with any dealing with or proceedings before any office, officer, department, board, commission or other agency of Jefferson County. No such officer or employee may directly or indirectly be the broker or agent who procures or receives any compensation in connection with the procurement of any type of bonds for County Officers, employees or persons or firms doing business with Jefferson County guaranteeing the performance of any contract with Jefferson County.

SECTION 9.4.

No officer or employee may use confidential information obtained in the course of or by reason of his employment or official capacity in any manner with intent to result in financial gain for himself, his spouse, his dependent child in his custody, or any business with which he is associated. No officer or employee may disclose confidential information obtained in the course of or by reason of his employment or official capacity in any manner with intent to result in financial gain for himself or any other person.

SECTION 9.5.

The County Council may enact Ordinances to guard against injustices and to supplement the provisions and extend prohibitions against conflicts of interest not inconsistent with this Section and the Revised Statutes of Missouri. All officers and employees of Jefferson County are to be bound by all Laws that pertain to conflicts of interest of such officers and employees such as those contained in the Revised Statutes of Missouri.

SECTION 9.6.

The County Executive is to forfeit his office if he willfully violates this Section or willfully conceals an ownership interest in a corporation or similar legal entity that violated this Subparagraph, or existing regulations of conflict of interest and lobbying found in Chapter 105, Revised Statutes of Missouri.

SECTION 9.7.

While serving in office:

9.7.1. County Officers may not use any resources of the County to carry on any trade, occupation, business or enterprise for personal financial profit or gain;

9.7.2. any County Officer other than a Council Member may not engage in any commercial enterprise, or otherwise receive compensation for services rendered as an employee, officer or director of, or by contractual arrangement with, a Person or Entity which engages in business transactions with Jefferson County;

9.7.3. any County Officer other than a Council Member may not own stock or any other ownership interest exceeding five percent of all the stock or other ownership interests in any Entity that engages in business transactions with Jefferson County; and

9.7.4. any Council Member who either (1) is engaged in any commercial enterprise, or otherwise receives compensation for services rendered as an employee, officer or director of, or by contractual arrangement with, a Person or Entity which engages in business transactions with Jefferson County or (2) owns stock or any other ownership interest exceeding five percent of all the stock or other ownership interests in any Entity that engages in business transactions with Jefferson County may not vote on any Ordinance, Bill, resolution or order in which such commercial enterprise, Person or Entity has an interest and must recuse himself or herself from deliberations regarding any such Ordinance, Bill, resolution or order.

SECTION 9.8.

No officer or employee may carry on any partisan political activity utilizing any resources of the County.

ARTICLE X. INITIATIVE; REFERENDUM; RECALL

SECTION 10.1.

The Citizens of Jefferson County reserve the power to propose by their own initiative to enact Ordinances independent of the County Council, to approve or reject any Ordinance of the County Council by referendum, and to recall any elected County Officer.

SECTION 10.2.

Initiative petitions may propose Ordinances or the repeal of Ordinances on any subject except (1) Ordinances concerning appropriations for the budgetary support of County Government, (2) Ordinances concerning the payment of principal and interest on debts of Jefferson County, (3) Ordinances concerning the borrowing of funds in anticipation of the collection of taxes and revenues previously authorized at an election, (4) Ordinances directing the issuance of bonds by Jefferson County previously authorized at an election, (5) Ordinances establishing tax rates, (6) Ordinances establishing zoning districts or designating real property to be in one zoning district or another or Ordinances amending other Ordinances that do so. In order for a proposition by initiative petition to be submitted to the voters, the following requirements must be met: (1) the initiative petitioners must file a notice of intent to circulate an initiative petition with the

County Clerk; (2) within twelve months after filing the notice of intent, but not less than six months before the next general election, the initiative petitioners must file with the County Clerk initiative petitions bearing the signatures of Registered Voters who reside in each of the Council Districts equal in number to four percent of the total votes cast for Governor of Missouri in that Council District in the last gubernatorial election; and (3) each petition that is signed and filed must contain a full text statement of the proposed Ordinance with an accompanying title that reflects the content of the Ordinance and an enacting clause that reads as follows: "Be it enacted by the citizens of Jefferson County." The the County Clerk is to examine the notice of intent and the initiative petitions that are filed in his or her office to determine if they meet the foregoing requirements. If they meet the foregoing requirements, the County Clerk must so certify and the proposed Ordinance must be submitted to the voters at the next general election. If the proposition is approved by a majority of those voting on the proposition, the proposed Ordinance is to be deemed adopted and to have the same force and effect as an Ordinance adopted by County Council as provided in this Charter.

SECTION 10.3.

Recall petitions may propose the recall of any elected County Officer. In order for a recall proposition to be submitted to the voters, the following requirements must be met: (1) the recall petitioners must file a notice of intent to circulate a recall petition with the County Clerk, or if the County Clerk is the subject of the recall petition, with the County Executive; (2) within six months after filing the notice of intent, the recall petitioners must file with the County Clerk recall petitions bearing the required number of signatures of Registered Voters; and (3) each recall petition that is signed and filed must contain the following statement: "[insert name of County Officer] is recalled from the office of [insert name of the office held by the County Officer]". If the elected County Officer to be recalled is a Council Member, the recall petitions must bear the signatures of Registered Voters who reside in his or her Council District equal in number to twenty percent of the total votes cast for Governor of Missouri in that Council District in the last gubernatorial election. If the elected County Officer to be recalled is not a Council Member, the recall petitions must bear the signatures of Registered Voters who reside in Jefferson County equal in number to twenty percent of the total votes cast for Governor of Missouri in Jefferson County in the last gubernatorial election. The County Clerk, or County Executive if the County Clerk is the subject of the recall petition, is to examine the notice of intent and the recall petitions that are filed in his or her office to determine if they meet the foregoing requirements. If they meet the foregoing requirements, the County Clerk, or County Executive if the County Clerk is the subject of the recall petition, must so certify and the recall proposition must be submitted to the voters. If the subject of the recall petition is a Council Member, the recall proposition must be submitted to the voters of his or her Council District. If the subject of the recall proposition is not a Council Member, the recall proposition must be submitted to the voters of Jefferson County. The vote on a recall proposition must be held at a special election called for that purpose if the first ensuing primary election or general election will be more than ninety days after the recall petition is certified. If the first ensuing primary election or general election will be more than ninety days after the recall petition is certified, the vote on the recall proposition must be held at that primary or general election. If the recall proposition is approved by a majority of those voting on the proposition, the County Officer who is the subject of the recall forfeits his or her office immediately and that office is to be deemed vacant.

ARTICLE XI. CHARTER AMENDMENTS AND REPEAL

SECTION 11.1. AMENDMENTS.

This Charter may be amended in any of the following ways:

11.1.1. The County Council may by Ordinance adopted by the affirmative vote of 2/3^{ths} of All Council Votes submit a proposition to amend the Charter to Registered Voters at the next ensuing general election that is not less than 90 days after the vote by the County Council. If the proposition is

approved by 4/7^{ths} of the votes cast on the proposition, the proposed amendment is to be deemed adopted and will become effective on the date specified in the proposed amendment.

11.1.2. If petitions to amend the Charter that meet the requirements of this Section and bear the signatures of the number of Registered Voters required by this Section are filed with the County Clerk, the proposed amendment must be submitted to Registered Voters at the next ensuing general election that is not less than 90 days after the petitions are filed. If the proposition is approved by 4/7^{ths} of the votes cast on the proposition, the proposed amendment is to be deemed adopted and will become effective on the date specified in the proposed amendment. Petitions proposing an amendment of the Charter must bear the signatures of Registered Voters of Jefferson County totaling at least 10% of the total votes cast for Governor of the State of Missouri in the most recent election at which a Governor of the State of Missouri was chosen. Every petition proposing an amendment of the Charter must contain the full text of the proposed amendment after an enacting clause which reads: "It is resolved by the citizens of Jefferson County that the Jefferson County Charter be amended as follows."

11.1.3. In 2018 and in every tenth year thereafter, the County Council may by Ordinance by the affirmative vote of 2/3^{ds} of All Council Votes submit a proposition to Registered Voters at the next ensuing general or special election to appoint a Charter Amendment Commission to recommend amendments to the Charter or repeal of the Charter. If the proposition is approved by 4/7^{ths} of the votes cast on the proposition, a Charter Amendment Commission is to be appointed before February 1st of the year following the election as provided in Article VI, Section 18(G) of the Missouri Constitution for appointment of charter commissions. Members of the Charter Amendment Commission who die, resign, or are otherwise unable to serve are to be promptly replaced by the same appointing authority. Members of the Charter Amendment Commission are not to receive compensation, but the expenses of the Charter Amendment Commission that are necessary for it to perform its duties are to be paid by the County. The Charter Amendment Commission must present either a replacement Charter or proposed amendments of this Charter, or a statement that no amendments are necessary, signed by at least 2/3^{ds} of its members, to the County Council on or before the August 31st following its appointment. On that date, the Charter Amendment Commission is to be deemed dissolved. If the Charter Amendment Commission has presented either a replacement Charter or proposed amendments of this Charter, the County Council must by Ordinance submit the proposition to replace or amend the Charter to Registered Voters at the first general election following its presentment by the Charter Amendment Commission. If the proposition is approved by 4/7^{ths} of the votes cast on the proposition, the proposed replacement or amendment is to be deemed adopted and will become effective on the date specified in the Ordinance.

SECTION 11.2. REPEAL.

This Charter may be repealed by any of the methods by which it may be amended. If repeal of this Charter is so approved, the repeal is to become effective on the first day of the calendar year following the election at which the repeal proposition was adopted.

ARTICLE XII. ELECTIONS; MINIMUM QUALIFICATIONS; VACANCIES

SECTION 12.1. ELECTIONS.

12.1.1. The County Clerk is the election authority for Jefferson County.

12.1.2. Every Person who becomes a candidate for an elected County Office must declare his or her registered party affiliation or that he or she is filing as an "Independent" without a registered political party affiliation.

12.1.3. Of all Persons who declare the same registered political party affiliation when filing, only one Person may stand for election in the general election. The Person to stand for election for a registered political party in the general election is to be nominated from all Persons who declared the same registered political party affiliation by a plurality of the votes cast at the primary election immediately preceding the general election.

12.1.4. A Person who declares when filing for election as a Council Member that he or she is an "Independent" without a registered political party affiliation is not qualified to stand for election in the general election unless such Person files with the County Clerk, at the time of his or her filing, petitions for placing his or her name on the general election ballot bearing the signatures of Registered Voters. If such Person is a candidate for Council Member to take office on January 1, 2010, he or she must file petitions bearing the signatures of at least 215 signatures of Registered Voters. If such Person is a candidate for any other County Office, including for Council Member to take office after January 1, 2010, he or she must file petitions bearing the signatures of Registered Voters at least equal in number to 2% of all votes cast for that County Office in the immediately prior election at which the holder of that office was to be elected, except that in the case of the election of the County Executive in November, 2010, the petitions must bear the signatures of Registered Voters at least equal in number to 2% of all votes cast for the Presiding Commissioner of Jefferson County in November 2006.

12.1.5. The ballot in every general and primary election in which a Person is a candidate for a County Office must show the registered party affiliation of such Person or that such Person has declared that he or she is an "Independent", as applicable. The ballot in every general and primary election at which a County Officer is to be elected must provide in accordance with Missouri Law a space or means for entering the name of a write-in candidate for that County Office.

12.1.6. Fees payable upon filing for election and the procedures for elections are to be as provided by Law.

12.1.7. Every Person who is elected or appointed to a County Office, before assuming the powers and duties of that County Office, must file with the County Clerk a certificate of election or appointment, as applicable. Every Person who is elected or appointed to a County Office, before assuming the powers and duties of that County Office, must also orally swear or affirm before the County Clerk, and subscribe and file with the County Clerk the same written oath or affirmation, that he or she is qualified under this Charter to hold such County Office, that he or she will faithfully perform the duties of that office, and that he or she will support and defend the Constitution of the United States and the Missouri Constitution.

SECTION 12.2. MINIMUM QUALIFICATIONS TO BE ELECTED.

To be qualified to be elected to any elective office, a Person must meet the following minimum requirements, in addition to every other qualification requirement for that office specified in this Charter:

- 12.2.1. He or she must be a Registered Voter in Jefferson County at the time of filing for election;
- 12.2.2. He or she must be a resident of Jefferson County for the twelve months before he or she files for election;
- 12.2.3. He or she must be at least 24 years of age when he or she files for election; and
- 12.2.4. He or she must be a Citizen for twelve months before he or she files for election.

To be qualified to serve in any elective office, a Person must meet the same minimum requirements throughout his or her period of service.

SECTION 12.3. VACANCIES.

12.3.1. A elected County Office becomes vacant upon the death, resignation, removal from office or forfeiture of office as prescribed by this Charter or by Law of the Person holding that County Office. If there is no candidate for an elected County Office in a general election at which the holder of that County Office is to be elected, that County Office becomes vacant on the January 1st following that general election.

12.3.2. If any elected County Officer while in office fails to meet any of the qualification requirements in this Charter for service in his or her County Office, or ceases to reside in Jefferson County, or pleads guilty to or is convicted of a felony as defined in any Law, or violates any prohibition in ARTICLE IX of this Charter, he or she forfeits his or her office immediately upon adoption by the County Council by the affirmative vote of All Council Votes of a resolution declaring a finding by the County Council of that failure.

12.3.3. If the County Office held by any elected County Officer other than the County Executive or a Council Member becomes vacant, the County Executive must appoint a Person to hold that office until the January 1st following the next general election. If the office of the County Executive becomes vacant, the County Council must appoint a Person to hold that office until the January 1st following the next general election. In either case, a successor is to be elected at the next general election for the unexpired or a full term, as applicable.

12.3.4. If there is a vacancy on the County Council, the County Council, by a majority vote of the remaining serving Council Members, must appoint a Person to hold that office until the end of the term of the vacant Council Member.

12.3.5. In every case where a Person is as appointed as provided in this Charter to fill a vacancy in an elected County Office, the Person appointed must have an affiliation with the same registered political party as the Person replaced, if the Person replaced was affiliated with a registered political party.

ARTICLE XIII. INTER-GOVERNMENTAL RELATIONS

SECTION 13.1.

Jefferson County may contract with any Municipality, Special District or other district for the performance of any governmental function or service by one for or on behalf of the other on such cost sharing basis as they may agree in the contract. Jefferson County may not, however, set fees or assess charges in contracts with Municipalities, Special Districts and other districts that exceed the actual cost of performing the function or service except in cases where Missouri Law establishes or requires greater fees or charges.

SECTION 13.2. BUILDING CODES.

The County Executive may negotiate, and upon approval by the County Council may enter into, intergovernmental agreements with cities, towns, villages, municipalities and districts that provide for the coordinated adoption of uniform Building Codes, procedures for enforcement of Building Codes, licensing of contractors, subcontractors, journeymen and apprentices, and the imposition of fines and debarment from public work for substantial violations of Building Codes. The County Executive and the County Council are to encourage such intergovernmental agreements in order to provide uniform Building Codes throughout Jefferson County.

SECTION 13.3.

The County Council may not by Ordinance or resolution, and the County Government may not by order, rule or other action, terminate the program of rebatement to any Municipality of road and bridge taxes in existence when this Charter was adopted, or reduce the percentage of road and bridge taxes rebated to Municipalities, without the agreement of the governing body of the Municipality.

SECTION 13.4.

13.4.1. If any Municipality in Jefferson County seeks to annex an unincorporated area of Jefferson County and an objection to the annexation is made as provided in Missouri Law, all of the following requirements must be satisfied:

13.4.1.1. Before adopting a resolution to annex, the governing body of the Municipality must propose an ordinance stating the date when the annexation is proposed to be effective, which may be up to thirty-six months after the date of the election or elections held as required by Section 13.4.1.5, and also stating all of the following:

13.4.1.1.1. The area proposed to be annexed is contiguous to the existing limits of the Municipality.

13.4.1.1.2. The length of the common boundary between the Municipality and the area proposed to be annexed is at least fifteen percent of the entire perimeter of the area to be annexed.

13.4.1.1.3. The annexation is reasonable and necessary to the proper development of the Municipality.

13.4.1.1.4. The Municipality has developed a plan to provide services to the area proposed to be annexed and intends to provide those services.

13.4.1.1.5. A public hearing is to be held prior to the adoption of the ordinance.

13.4.1.2. The municipality must fix a date for a public hearing on the proposed ordinance and make a good faith effort to notify all fee owners of record within the area proposed to be annexed by certified mail, not less than thirty nor more than sixty days before the hearing, and notify all residents of the area by publication of notice in a newspaper of general circulation qualified to publish legal matters in Jefferson County, at least once a week for three consecutive weeks prior to the hearing, with at least one of the published notices being not more than twenty days and not less than ten days before the hearing.

13.4.1.3. At the public hearing, the Municipality must present its plan to provide services to the area proposed to be annexed and evidence of its intent to do so. The plan presented must include the following:

13.4.1.3.1. a list of major services presently provided by the Municipality, including but not limited to police and fire protection, water and sewer services, street maintenance, parks and recreation, refuse collection, and other Municipal services;

13.4.1.3.2. a proposed time schedule for providing these services to the residents of the area proposed to be annexed within three years from the date the annexation is to become effective;

13.4.1.3.3. the level at which the Municipality assesses property and the rate at which it taxes that property;

13.4.1.3.4. how the municipality proposes to zone the area to be annexed; and

13.4.1.3.5. when the proposed annexation is to become effective.

13.4.1.4. Following the hearing, and either before or after the election or elections held as required by Section 13.4.1.5, if the governing body of the Municipality adopts the ordinance to annex the proposed area, the governing body of the Municipality must file a class action against the inhabitants of the area proposed to be annexed in the Circuit Court of Jefferson County requesting a declaratory judgment authorizing the annexation. The Municipality may not annex the area proposed to be annexed unless authorized by the court. If the area proposed to be annexed includes a public road or highway but does not include all of the land adjoining the road or highway, then fee owners of record of the lands adjoining the road or highway may intervene in the declaratory judgment action. The petition in the action must state facts showing the plan of the Municipality to provide services to the area to be annexed and also showing the following:

13.4.1.4.1. The area proposed to be annexed is contiguous to the existing limits of the Municipality.

13.4.1.4.2. The length of the common boundary between the Municipality and the area proposed to be annexed is at least fifteen percent of the entire perimeter of the area to be annexed.

13.4.1.4.3. The annexation is reasonable and necessary to the proper development of the Municipality.

13.4.1.4.4. The Municipality has the ability to furnish services as provided in the plan within a reasonable time not to exceed three years after the annexation is to become effective.

13.4.1.5. The Municipality also may not annex the area proposed to be annexed unless an election is held at which the proposition for annexation is submitted to the residents of the Municipality and the residents of the area proposed to be annexed. If there are no residents of the area proposed to be annexed, the proposition for annexation is to be submitted only to the residents of the Municipality.

13.4.1.5.1. If the annexation is approved by a majority of the total votes cast in the Municipality and, if there are any residents of the area proposed to be annexed, by a separate majority of the total votes cast in the area to be annexed, the Municipality may annex the area proposed to be annexed if authorized by the court as required in Section 13.4.1.4.

13.4.1.5.2. If there are any residents of the area proposed to be annexed, and if less than a majority of the total votes cast in the area proposed to be annexed vote in favor of the annexation proposal, but at least a majority of the total votes cast in the Municipality vote in favor of the annexation proposal, then the proposal must be voted upon again by both Registered Voters who are residents of the Municipality and Registered Voters who are residents of the area proposed to be annexed at an election held within one hundred twenty days after the first election. If at least two-thirds of the total votes cast in the second election approve the annexation, the Municipality may annex the area proposed to be annexed if authorized by the court as required in Section 13.4.1.4.

13.4.1.5.3. If the annexation proposal fails to receive the necessary majorities in the first election or in the second election if it is required, no part of the area proposed to be annexed may be the subject of another proposal to annex until two years has elapsed from the date of the second election. The owners of all fee interests of record in the area or any portion of the area that was proposed to be annexed may, however, petition the Municipality for the annexation of the land owned by them in accordance with Missouri Law.

13.4.1.5.4. Except as otherwise provided in this Section 13.4.1.5, both elections are to be conducted in accordance with the provisions of Missouri Law governing special elections, and the entire cost of the elections is to be paid by the Municipality proposing the annexation.

13.4.2. If a Municipality that annexes an unincorporated area of Jefferson County as provided in Section 13.4.1 fails to provide services to the annexed area as provided in its plan to do so within three years after the effective date of the annexation, any Person who was a resident of the area annexed when the annexation became effective may file an action in the Circuit Court of Jefferson County requesting de-annexation of the area annexed. The petition in the action must state facts showing that the Municipality failed to provide services to the annexed area as provided in its plan to do so within three years after the effective date of the annexation. If the court finds that the Municipality failed to provide services to the annexed area as provided in its plan to do so within three years after the effective date of the annexation and that failure is not the result of war, civil insurrection, riot, natural disaster, or other cause beyond the reasonable control of the Municipality, the court may order the de-annexation of the area annexed.

ARTICLE XIV. RE-DISTRICTING

SECTION 14.1. DECENNIAL APPOINTMENT OF REDISTRICTING COMMISSION.

14.1.1. Within sixty days after the publication of the results of each decennial census of the United States of America, a Redistricting Commission, consisting of two Persons designated by each serving Council Member, is to be established by the County Council. One of the Persons appointed by each Council Member must be from the registered political party whose candidate for Governor of Missouri received the most votes in the most recent gubernatorial election, and the other must be from the registered political party whose candidate for Governor of Missouri received the second-most votes in that election.

14.1.2. In accordance with a budget that must be adopted by the County Council when the Redistricting Commission is established, the County Government must provide the Redistricting Commission with the clerical and administrative assistance it requires to complete its work.

14.1.3. The Redistricting Commission must review the population data for Jefferson County published in the decennial census and, if the criteria for Council Districts in Section 14.1.6.2 is not met by the existing boundaries of the Council Districts, within 60 days after the Redistricting Commission is established, the Redistricting Commission must submit to the County Council for adoption a redistricting plan that re-draws the boundaries of the Council Districts and, if necessary for the criteria in Section 14.1.6.2 to be met, increases or decreases the number of Council Districts, provided that there must always be an odd number of Council Districts.

14.1.4. Within ten days after receiving the redistricting plan from the Redistricting Commission, the County Council must either approve or reject it by the affirmative vote of All Council Votes. If it is

rejected, the County Council must advise the Redistricting Commission of the objections of the Council Members who voted to reject it.

14.1.5. If the first redistricting plan is rejected, the Redistricting Commission must within twenty days submit to the County Council for adoption a second redistricting plan. Within ten days after receiving the second redistricting plan from the Redistricting Commission the County Council must either approve or reject it, but the affirmative vote of 2/3rds of All Council Votes is required for rejection. If the second redistricting plan is rejected, the Redistricting Commission must file within five days a petition in its name with the Circuit Court of Jefferson County requesting a ruling whether the second redistricting plan meets the criteria in Section 14.1.6 and that if it does, an order of the court putting the second redistricting plan into immediate effect. If the court rules that the second redistricting plan does not meet the criteria in Section 14.1.6 and does not issue an order putting the redistricting plan into immediate effect, the Redistricting Commission is to be deemed disbanded and a new Redistricting Commission is to be established as provided in Section 14.1.1.

14.1.6. The redistricting plan that is presented to the County Council and adopted by the County Council must re-establish Council Districts based on the following criteria and no others:

14.1.6.1. The boundaries of Council Districts must be drawn based on the total population each Council District encloses.

14.1.6.2. The total population of the Council District with the highest total population must not exceed the total population of the Council District with the lowest total population by more than 10%.

14.1.6.3. The total population of each Council District must not exceed 50,000 and must not be less than 20,000.

14.1.6.4. Each Council District must enclose a single contiguous area.

14.1.6.5. Each Council District must be composed of one or more "voting tabulation districts" as defined in the decennial census.

14.1.6.6. To the extent possible while meeting the criteria listed in Sections 14.1.6.1 through 14.1.6.5:

14.1.6.6.1. Areas served by the same federal or State of Missouri numbered highway or lettered State of Missouri highway should be in the same Council District.

14.1.6.6.2. Areas served by the same school district should be in the same Council District.

14.1.6.6.3. The length of each Council District from north to south should be about the same as its width from east to west, so that the distance from the geographic center of the Council District to its edges are approximately uniform.

ARTICLE XV. TRANSITION PROVISIONS

SECTION 15.1. TRANSITION PERIOD.

During the Transition Period, if there is any conflict between a clause in this ARTICLE XV and any clause of any of the other Articles of this Charter, the clauses of this ARTICLE XV are controlling. Beginning at the

time when there are no Transition Executives as provided in this Charter, and thereafter, if there is any conflict between a clause in this ARTICLE XV and any clause of any of the other Articles of this Charter, the clause of the other Article is controlling.

SECTION 15.2. LEGISLATIVE POWERS.

Until January 1, 2011, the County Council may not, except by the affirmative vote of all serving Council Members, enact any Ordinance that the Commissioners of Jefferson County could not under Missouri Law enact before this Charter was adopted, other than Ordinances mandated by this Charter and Ordinances respecting transition to the form of government provided by this Charter from the form of government that existed prior to the adoption of this Charter.

SECTION 15.3. EXECUTIVE POWERS.

During the Transition Period, the executive powers of the County are vested in a Board of Executives consisting of (1) the Transition Executives, (2) until January 1, 2011, the Person who was the Presiding Commissioner of Jefferson County when this Charter was adopted, and (3) after December 31, 2010, the County Executive. The official title of each of them is to be "Jefferson County, Missouri, Executive". Until the expiration of the Transition Period, references in this Charter to any act of the County Executive means the Board of Executives acting by majority vote.

SECTION 15.4. VACANCIES.

If the office of any member of the County Council or the Board of Executives as provided for in Section 15.2 and Section 15.3 (other than the County Executive elected for a term commencing January 1, 2011, as provided in this Charter) becomes vacant, a Person is to be appointed in the manner provided by Missouri Law for appointments to fill vacancies in the office of commissioner of a first class county not having a charter form of government, to serve only the remainder of the time such member of the Board of Executives was to serve as such as provided in this Charter.

SECTION 15.5. EMPLOYEES.

All employees of Jefferson County when this Charter was adopted whose employment has not otherwise terminated continue to be employees of Jefferson County after its adoption.

SECTION 15.6. ORDINANCES, RULES, REGULATIONS AND ORDERS.

All ordinances, rules, regulations and orders of Jefferson County and its officers, departments, divisions, commissions and boards enacted or promulgated before this Charter was adopted are to remain in full force and effect as if enacted or promulgated by the County Council or other correlative officer, department, division, commission or board as provided in this Charter, except to the extent that they conflict with the provisions of this Charter or are amended or repealed after the adoption of this Charter. This includes but is not limited to the Unified Development Order and Ordinances establishing a municipal court, a planning and zoning commission and other divisions, boards and commissions.

SECTION 15.7. EXISTING DEPARTMENTS AND DIVISIONS.

All departments of the county government of Jefferson County existing when this Charter was adopted that perform governmental functions equivalent to the governmental functions to be performed by Departments provided for in this Charter are to continue in existence as the Departments provided for in this Charter. All divisions of such departments existing when this Charter was adopted are to continue in existence except to the extent they are later modified or abolished as provided in this Charter.

SECTION 15.8. SURVIVAL OF RIGHTS AND ACTIONS.

All actions, causes of action, rights, duties, titles, claims, obligations, debts, judgments, recognizances, fines, penalties, and forfeitures in favor of or against Jefferson County existing before this Charter was adopted are

to remain in existence in full force and effect in favor of or against Jefferson County upon the adoption of this Charter.

SECTION 15.9. CONTINUANCE OF PENDING MATTERS.

All matters pending before or under consideration by the County Commission or any department, division, office, officer, head of a department, or commission or board of Jefferson County when this Charter was adopted may be acted upon and disposed of as if they had been originated, initiated or introduced as contemplated in this Charter.

CERTIFICATE OF ADOPTION

We, the undersigned members of the Jefferson County Charter Commission, were duly appointed by the Circuit Court to write a Charter for Jefferson County under Article VI, Sections 18(a) to 18(l) of the Missouri Constitution. We certify that the members of the Jefferson County Charter Commission unanimously on September 4, 2008, adopted the foregoing Home Rule Charter for Jefferson County for submission to the vote of the qualified voters of Jefferson County at the 2008 general election. The question is to be stated on the ballot as follows:

“Shall the citizens of Jefferson County adopt the Home Rule Charter approved by the Jefferson County Charter Commission on September 4, 2008, that provides:

The citizens of Jefferson County shall govern themselves as provided in Article VI, Section 18 of the Constitution of Missouri, through a seven member County Council and County Executive.

There will be no tax increase without approval of the voters of Jefferson County.

There will be restrictions on the use of eminent domain.

The County is required to have a balanced budget.

Amendment of the Charter requires approval of four-sevenths of the voters of Jefferson County.

It is estimated the adoption of the Home rule Charter will add no additional costs to county or local governmental entities.

YES
 NO

INSTRUCTIONS

To vote, darken in the oval completely next to your choice, like this ()

If you are in favor of any question submitted upon this ballot darken the oval to the left of the word "YES"

If you are opposed to any question submitted upon this ballot darken the oval to the left of the word "NO"

Signature Page Follows

Phil Amato

Anthony W. Becker

William C. Dodson

Derrick R. Good

Sean C. King

Michael S. Minicky

Frances A. Newkirk

Victoria K. James

Paul M. Reinheimer

Laura S. Schmidt

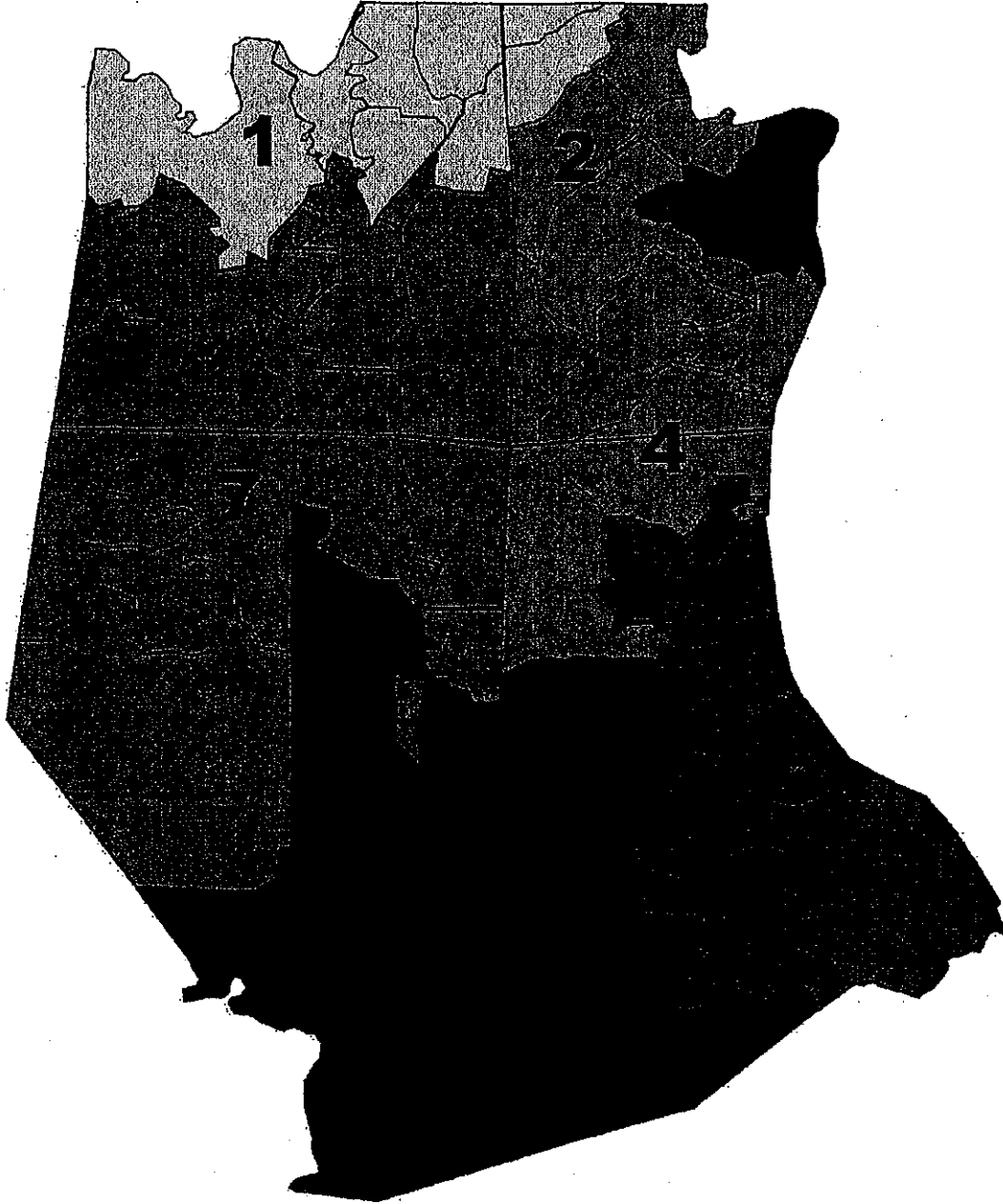
S. Gail Shorney

Dennis H. Tesreau

Michael R. Turley

Bruce W. Valle

APPENDIX A
COUNTY COUNCIL DISTRICTS



1. Bymes Mill (all wards); High Ridge 1, 2 & 3; Hoene Springs; McNamee; Murphy 1 & 2; Parkdale (all wards). Total population: 28,834.
2. Arnold (Ward 4); Jefferson Heights; Maxville 1; Meramec Heights; Rock Creek; Romaine Creek; Saline; Springdale. Total population: 29,115.
3. Arnold (Wards 1, 2 & 3); Flamm City; Maxville 2; Miller. Total population: 28,177.
4. Antonia; Barnhart; Imperial; Kimmswick (all wards); Windsor; Mapaville; Pevely Outside. Total population: 26,729.
5. Airport; Crystal City (all wards); Festus (all wards); Herculaneum (all wards); Horine; Jefferson R7; Pevely (all wards); Platin; Riverview; Rush Tower. Total population: 27,285.
6. Athena; DeSoto (all wards); Hematite; Hillsboro P-1; Hillsboro (all wards); Olympian Village (all wards); Sunrise; Valle; Vineland; Victoria. Total population: 29,016.
7. Bymesville; Cedar Hill; Cedar Hill Lakes; Fletcher; Goldman; Grubville; High Ridge 4; Hillsboro P-2; House Springs; Lake Tishomingo; Morse Mill; Scotsdale; Ware. Total population: 28,943.