

Legal Determination Regarding Council Elections and Waiting Periods

It has come to the attention of the Vice Chancellor of MU Extension and Engagement's office that state statutes regarding term limitations for members of County Extension Councils are being interpreted and applied in different ways from county to county. To address any confusion, we sought an interpretation from the University of Missouri's Office of the General Counsel. Based on the interpretation we received, we are sharing this guidance and will take other steps to ensure consistency in how the term limit statutes are applied.

The statutes are designed to enable the county councils to take advantage of the ideas generated by new members, while also retaining experienced members to share their wisdom and continuity. The terms of the statutes strike a balance between those objectives.

The statutes identify **three types of members of county councils: Elected, Appointed and County Commission member.**

- **Elected** members are elected by vote from districts or townships within the county.
- **Appointed** members are appointed by farm organizations or municipalities indicated in the law.
- **County Commission member** refers to the County Commissioner **designated** by the County Commission to serve on the council (or the Presiding Commissioner if no designation is made).

The term of service for an elected or appointed council member is two years. Each elected or appointed council member may serve two consecutive two-year terms (i.e., a maximum of four consecutive years). **After serving two consecutive terms (four consecutive years), an elected or appointed member must sit out for at least one year before rejoining the county council as an elected or appointment member.**

For example, a member elected from a county district who serves two consecutive terms (four years), must sit out a year before becoming a member of the council again by election or by appointment from a farm organization or municipality. Similarly, a member appointed from a farm organization or municipality who serves two consecutive terms (four years), must sit out a year before becoming a member again by appointment or election.

The statutes do not establish the same term limits for County Commission members. As a result, a County Commission member may serve on a county council for as long as he or she is the County Commissioner designated by the County Commission to fulfill that role (or is the Presiding

Commissioner if the County Commission does not otherwise designate a County Commissioner to serve on the county council. Also, after a person discontinues service as a County Commission member, he or she would be immediately eligible to be elected as a county council member from a district or appointed as a member by a farm organization or municipality, without needing to sit out a year. If subsequently elected or appointed, then the individual would become subject to the same term limits discussed above.

Organizations appointing a member to the county council have two to four years to identify their next appointed member. This has not been stressed, and will need to be going forward.

We will be stepping up our training of Extension Councils and Officers, staff who work with councils, and County Program Directors and Regional Directors to ensure that everyone is aware of the requirements of the statutes and that they are applied consistently.

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