



Jackson County Missouri

JOURNAL

County Legislature

Jackson County Courthouse
415 East 12th Street, 2nd floor
Kansas City, Missouri 64106
(816)881-3242

Scott Burnett (1st), Chairman, Henry C. Rizzo (2nd AL), Vice-Chairman,
Robert A. Stringfield, (1st AL), Fred Arbanas (3rd AL),
Ronald E. Finley (2nd), Dennis Waits (3rd), Dan Tarwater (4th),
Rhonda L. Shoemaker (5th), Bob Spence (6th)

Monday, March 22, 2004

2:30 PM

Twelfth Regular Meeting

Independence Annex, 308 W. Kansas, Ground Floor, Legislative Chambers

Scott Burnett, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present: Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dan Tarwater moved to approve the journal of the previous meeting held on 3/15/2004.
Seconded by Dennis Waits.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

Robert A. Stringfield, County Legislator, announced that he sent a letter to the County Executive suggesting that Dorothy Kennedy be reappointed to the COMBAT Commission to fill the vacancy occasioned by the resignation of Robery Woodley. He introduced Dorothy Kennedy to the Legislature and thanked her for serving on the Commission. He said Katheryn Shields, County Executive, with the approval of the Legislature, will prepare an Executive Order reappointing Ms. Kennedy.

Henry C. Rizzo, County Legislator, said Dorothy brings a wealth of experience to the Commission.

Scott Burnett, Chairman, reminded everyone of the tragedy last summer when a police dog died in a vehicle due to heat. Officer John Bullard received a resolution regarding this incident. Officer Bullard was in attendance to introduce his new dog Daro who is a two year old German Shepherd from Czechoslovakia. They started training Daro in September. Training is complete and they are now working the streets. Daro is one of the three dogs trained at the Independence Police Canine Facility. They recently received national certification and they are only one of seventeen nationally certified training facilities. He thanked the Legislature for the previous resolution which is hanging on the Wall of Honor at the canine unit with Hondo's picture. Daro is his new partner, not a replacement for Hondo. He said they have bonded well and Daro loves the job.

Rhonda L. Shoemaker, County Legislator, congratulated them and is glad to hear things are going well.

Public testimony regarding Ordinance #3480, (OHRCC).

Bob WitbolsFeugen, speaking on behalf of himself and Karen Turner, said the Jackson County Office of Human Relations and Citizen Complaints had the power to subpoena testimony and secure the necessary documents to settle the Turner complaint but chose not to do so at the behest of the Jackson County Sheriff's Department and it's representative, the Jackson County Counselor's Office. The Commissioners of the OHRCC committed at least four violations of the Missouri Sunshine Law as decided in Turner vs. Garcia in 2002. He said they violated the Charter in the process and those actions are the very cause for this review. Duncan Fowler, who is recommended by the United States Ombudsmen Association, and the Legislative Auditor have both acknowledged the fundamental importance of reviewing the Turner complaint as it will address the public criticism. He asked the Legislature to approve Ordinance #3480 as it will serve the common interest of every citizen in Jackson County. He asked the Legislature to renounce the agenda of those who desire their cooperation to cover up the misconduct of individuals who serve only the appointing authority.

Deborah Tircuit, Director/Ombudsman for the Office of Human Relations and Citizen Complaints, said the office has been in existence for 30 years. The office accepts complaints and gives information and referrals to citizens of Jackson County regarding county government. She said she and the commission support Ordinance #3480 requesting the United States Ombudsmen Association to review the OHRCC. Deborah believes a comprehensive review of the structure and the operation of OHRCC would be beneficial to all. She hopes the review will bring forth some recommendations that will help to enhance the office's operations. Ms. Tircuit said her office is a charter functioned office. It is separate from the Administration and is to operate independently of political influence from any Administration or governmental body. She said she will fully support and cooperate with a review of the OHRCC as it relates to the operations and structure.

Ronald E. Finley, County Legislator, asked how many staff members work in her office.

Deborah Tircuit said currently it is her as Director and her Administrative Secretary. She lost her Complaint Officer in September 2003 due to illness and the position still remains open. She has submitted the appropriate requisition to the Administration to allow her to exercise her authority to replace the position but that authorization has not been granted.

Ronald E. Finley said he thought he understood her to say she had an independent office.

Deborah Tircuit replied she is supposed to be independent. She stated that the position is budgeted for 2004.

Troy Thomas, Chief Financial Officer, said it was his understanding that the position should not be filled until the structure review is completed.

Deborah Tircuit said her employee went on FMLA in September 2003 so she had to reserve the position for her when she returned. The employee then decided to go on disability and submitted her resignation letter effective December 31, 2003. On December 7, 2003, she notified the Administration that she needed to post and hire for the position. She did not get a response but when she inquired about it, was told it was pending until the review. She said this places her in an adverse situation having to undertake and go under the review process when she does not have staff and equipment to perform the essential functions of her job.

Currently, Deborah has been handling a dual role as the Administrator/Director and also accepting complaints and information and referral. She said she is handling the complaints to the best of her ability with the resources that she has been provided. Her budget is approximately \$135,000.00 per year which includes salaries.

Bob Stringfield asked Ms. Tircuit if she brought her request to fill the position before the OHRCC Commission, who has the authority to approve.

Deborah Tircuit said the Commission supports her efforts to fill the position. She said the Commission has the authority to hire and fire the Director of the Office of Human Relations and Citizen Complaints. The Director is the hiring authority for office staff.

Roger James Davis, Chairman of the Office of Human Relations and Citizen Complaints, said he has served on the commission for a little over five years. He said the commission fully supports the review of the OHRCC that will be conducted by the consultant.

Dennis Waits moved to perfect Ordinance #3480. Seconded by Dan Tarwater. The motion passed by a voice vote.

(PERFECTED)

Scott Burnett asked Mr. Davis if he has looked at the scope and if the areas he is interested in have been covered.

Mr. Davis said the Director will present the scope to the Commission at their next meeting so they can discuss it.

Ronald E. Finley asked if the intent of the review was to look at operations and make suggestions on improving operations or is it the intent to re-review Mr. WitbolsFeugen's case. He said the WitbolsFeugen case has been to court and he is not sure what other relief can be offered.

Deborah Tircuit said her understanding of the scope is to look at the operations and structure of OHRCC. It will not delve into an individual complaint but will look randomly at how OHRCC may have handled and processed complaints, how they are structured, what powers the organization has, whether or not the organization has been supported both by funding and staffing.

Bob Stringfield asked Kelly Markham-Stegall, County Auditor, to give information and a timetable for this review.

Kelly Markham-Stegall said the original contract for the consultant was \$16,000.00 which would cover the review of the operations of the OHRCC office. The consultant said he could review this specific case but the cost would be an additional \$5,000.00. If the Legislature desires to do this the monies are available. The consultant suggests that the specific case review be separate from the operational report. It is a decision that will be made by the Legislature. It is also important to know that the consultant will interview Mr. WitbolsFeugen and Ms. Turner.

Ronald E. Finley asked the sponsors if that was their intent.

Dennis Waits, County Legislator, said he did not anticipate limiting this review in any way other than what was precluded for review by state law. There are limits that state law provides that we cannot provide a settlement to Mr. WitbolsFeugen and the case is over. However, he thinks it would be a mistake to not allow the ombudsmen to review it without getting into specifics of the case, especially since it is really the bone of contention. Mr. Waits thinks Mr. WitbolsFeugen has presented enough facts that it warrants taking a look at it. He thinks he deserves it to the degree to find out if OHRCC is functioning in handling a case like this because it was an important case. He does not want to put limits on it and risk not having what we need when it is done. He thinks to go forward and spend the money without reviewing the case is a waste. He also thinks we need some idea about hiring staff. He would like a timetable of when the hiring process might begin.

Kelly Markham-Stegall said the consultant gave a range between \$13,000.00 and \$16,000.00. He believes the work can be done for approximately \$13,000.00 - \$14,000.00. By making the amount \$20,000.00 in the ordinance, the additional money would be available if the Legislature desired to review the specific case.

Bob Spence asked the County Auditor if she or her staff would participate in this review.

Kelly Markham-Stegall said no, but she will be assisting him in gathering information for him to read and digest. He would like to come to Jackson County the first week of April and do his field work. He would like a list of individuals he will be interviewing so they could be available during the week he is in town.

Bob Stringfield concurs with Mr. Waits. He said the ordinance includes the scope of the review and he hopes the Legislature will proceed.

Deborah Tircuit said she does not support an additional \$5,000.00 cost to review a particular complaint because there is no resolution. She explained that in 1999, the Commission and herself were sued for violations of the Missouri Sunshine Law not how the complaint was handled. The Commission went through a tedious trial. Mr. WitbolsFeugen received a favorable finding against the Commission for violating the Sunshine Law. The Commission accepted it and made many improvements within the operation in the office to ensure that there will be no problems in the future.

Jay Haden, Deputy County Counselor, said he does not know what the Legislature wants to do as there does not seem to be a consensus. The ordinance reads that it is a comprehensive review of the structure and operation of the office. He said if the Legislature wants a specific review of the case at an additional cost, he thinks that language should be included in the ordinance so there is no doubt about the contract.

Mr. WitbolsFeugen said the purpose of reviewing the Turner complaint is to see if the process by which OHRCC is following is in line with the Jackson County Charter and the responsibilities that it has. To view their responsibilities without looking at how they execute them is a waste of time and money. The purpose of reviewing the Turner case is to bring about a comparison between what is out there that they are responsible for doing and seeing exactly what they would do under the circumstances which that case presented to them.

*Dennis Waits moved to suspend the rules to consider final passage of Ordinance #3480. Seconded by Robert A. Stringfield.
The motion passed by a voice vote.*

(APPROVED)

Dennis Waits moved to adopt Ordinance #3480, as perfected. Seconded by Robert A. Stringfield.

Ronald E. Finley moved to amend Ordinance #3480.

Jay Haden informed Mr. Finley that he could not amend the ordinance after it was perfected. He said he could move to reconsider the vote to perfect and then amend it.

Ronald E. Finley moved to reconsider the vote to perfect Ordinance #3480. Seconded by Dennis Waits.

The motion passed by a voice vote. (APPROVED)

Ordinance #3480 was amended, perfected and adopted at this time. See page 6 for details.

Robert A. Stringfield asked for a point of clarification.

Jay Haden said the motion was to reduce the contract amount by \$5,000.00 and delete the authority to review the Turner case.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

None.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

The Land Use Committee made no recommendation on Ordinance #3464.

[3464](#)

Fred Arbanas moved to reassign Ordinance #3464 to the Legislature As A Whole, approving the preliminary plat "Windsor Subdivision, Phases 5 and 6," creating a 41-lot residential subdivision, as to a 157.5 ± acre tract. Seconded by Bob Spence.

The motion passed by a voice vote. (APPROVED)

[3464](#)

Fred Arbanas moved to hold Ordinance #3464, approving the preliminary plat "Windsor Subdivision, Phases 5 and 6," creating a 41-lot residential subdivision, as to a 157.5 ± acre tract. Seconded by Bob Spence.

The motion passed by a voice vote. (APPROVED)

[3472](#)

Health and Justice Committee moved to perfect. Consent Agenda.

Fred Arbanas moved to waive the reading of Ordinances #3474, #3475 and #3476. Seconded by Dan Tarwater.

The motion passed by a voice vote. (APPROVED)

The Land Use Committee will have a public hearing regarding Ordinances #3474, #3475 and #3476 on Friday, March 26, 2004 at 1:00 p.m. at Fleming Hall.

[3474](#)

AN ORDINANCE granting a conditional use permit (CUP) in District A (Agricultural) for a period of twenty-five (25) years to continue operating a 299-ft. microwave communications tower as to a 1.3 ± acre tract.

(Land Use Committee - 2nd. Perfection)

[3475](#) AN ORDINANCE granting a conditional use permit (CUP) in District A (Agricultural) for a period of twenty (20) years to extend an existing 100-ft. ham radio tower to a height of 135 feet as to a 3 ± acre tract.

(Land Use Committee - 2nd. Perfection)

[3476](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from District A (Agricultural) to District RE (Residential Estates) a certain 10 ± acre tract.

(Land Use Committee - 2nd. Perfection)

[3479](#) Health and Justice Committee moved to perfect. Consent Agenda.

[3480](#) Ronald E. Finley moved to approve the Legislature As A Whole Floor Amendment of 03/22/2004, to delete the figure "20,000.00" and insert the figure "16,000.00" in the heading, body and fiscal note where listed. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(ADOPTED)

[3480](#) Dennis Waits moved to perfect Ordinance #3480. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(PERFECTED)

[3480](#) Dennis Waits moved to suspend the rules to consider final passage of Ordinance #3480. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

[3480](#) Dennis Waits moved the passage of Ordinance #3480 as perfected, appropriating \$16,000.00 from the Unappropriated Surplus of the 2004 General Fund and authorizing and directing the County Executive to execute an Agreement with Fowler Consulting of Vashon Island, Washington, to perform a comprehensive review of the structure and operation of the Office of Human Relations and Citizen Complaints, at a cost to the County not to exceed \$16,000.00. Seconded by Dan Tarwater.

Yes: 8 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

(ADOPTED)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[3473](#) Consent Agenda.

[3477](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[14932](#) Health and Justice Committee moved do pass. Consent Agenda.

[14933](#) Health and Justice Committee moved do pass. Consent Agenda.

[14942](#) Public Works Committee moved do pass. Consent Agenda.

[14943](#) Land Use Committee moved do pass. Consent Agenda.

[14944](#) Land Use Committee moved do pass. Consent Agenda.

[14945](#) Land Use Committee moved do pass.

Ronald E. Finley objects to the consent agenda. He said that he thought these two bids were close together. He said there was discussion that they had used this company before but he wonders why we could not give another company a chance and go with the lowest bidder.

[14945](#) Fred Arbanas moved the passage of Resolution #14945, awarding a contract on Bid No. 54-03 for furnishing and installation of parking gate operators and telephone entry system for use by the Parks and Recreation Department at Jacomo Park to Acme Fence Co., Inc. of Grandview, Missouri, in the actual amount of \$9,844.00. Seconded by Robert A. Stringfield.

Yes: 5 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett and Bob Spence

No: 2 - Ronald E. Finley and Rhonda L. Shoemaker

Absent: 1 - Dennis Waits

(ADOPTED)

[14946](#) Land Use Committee moved do pass. Consent Agenda.

[14947](#) Finance and Audit Committee moved do pass. Consent Agenda.

[14948](#) Land Use Committee moved do pass the Land Use Committee Amendment of 3/22/2004, to delete the words "J.E. Gross Concessions" and insert the words "Ron and Karen Bridges", to delete the words "Blue Springs" and insert the word "Independence", to delete the figure "1,900.00" and insert the figure "1,810.00" in the heading and BE IT RESOLVED paragraph, to delete the words "Purchasing Director has recommended that award be made to J.E. Gross Concessions of Blue Springs, MO, for the reason that they have submitted the highest and best proposal" and insert the words "Legislature has determined that the proposal of Ron and Karen Bridges of Independence, MO, while not the highest proposal, is the highest and best proposal" in the first paragraph on page two, to delete the figure "1,900.00" and insert the figure "1,810.00" in the fiscal note. Consent Agenda.

[14949](#) Finance and Audit Committee moved do pass. Consent Agenda.

9 CONSENT AGENDA

- [3472](#) AN ORDINANCE appropriating \$40,150.00 from the unappropriated surplus of the 2004 Health Fund and authorizing the County Executive to execute an Agreement for Medical Examiner Services with Cass County, Missouri, for compensation payable to Jackson County in the amount of \$80,000.00.
(PERFECTED)
- [3479](#) AN ORDINANCE transferring \$9,497.00 within the 2004 General Fund and appropriating \$37,989.00 from the unappropriated surplus of the 2004 Grant Fund to cover the Kidsafe grant for the Prosecuting Attorney's Office, received from the United States Department of Justice through the Heart of America United Way and the transfer of the matching funds, and authorizing the County Executive to execute an Agreement with the Heart of America United Way regarding this grant.
(PERFECTED)
- [3473](#) AN ORDINANCE repealing sections 5045., 5046., and 5047., Jackson County Code, 1984, relating to boating in County parks and enacting, in lieu thereof, three new sections relating to the same subject, with a penalty provision.
(ADOPTED)
- [3477](#) AN ORDINANCE transferring \$13,202.00 within and appropriating \$46,535.00 from the unappropriated surplus of the 2004 Anti-Drug Sales Tax Fund to cover the extension of the Gun Control Prosecution grant for the Prosecuting Attorney's Office funded by the United States Office of Justice Programs and the transfer of matching funds.
(ADOPTED)
- [14932](#) A RESOLUTION authorizing the County Executive to execute an Agreement for Medical Examiner Services with Clay County, Missouri, for compensation payable to Jackson County in the amount of \$190,000.00.
(ADOPTED)
- [14933](#) A RESOLUTION authorizing the County Executive to execute an Agreement for Medical Examiner Services with Platte County, Missouri, for compensation payable to Jackson County in the amount of \$63,216.00.
(ADOPTED)
- [14942](#) A RESOLUTION awarding a contract on Bid No. PW 05-2004 for the 2004 Road Striping Program, Project No. 3009, to Twin Traffic Marking Corporation of Riverside, Missouri, in the actual amount of \$70,000.00.
(ADOPTED)

- [14943](#) A RESOLUTION approving the purchase of a Sony Betacam Recorder/Player for use by the Parks and Recreation Department, from B & H Photo Video of New York, New York in the actual amount of \$7,479.65, under an existing Federal GSA contract.
(ADOPTED)
- [14944](#) A RESOLUTION authorizing the purchase of proprietary apparel for resale by the Parks and Recreation Department at the Fred Arbanas Golf Course at Longview Lake from Titleist & Foot Joy Worldwide of Fairhaven, MA (\$35,000.00), Ashworth, Inc., of Los Angeles, CA (\$7,500.00), and Nike Golf of Dallas, TX (\$13,000.00), in the actual aggregate amount of \$55,500.00.
(ADOPTED)
- [14946](#) A RESOLUTION awarding a twelve (12) month term and supply contract for the furnishing of officiating services for the 2003-2004 Jackson County Soccer Leagues for use by the Parks and Recreation Department to Metropolitan Soccer Referee Association of Independence, MO, at a cost to the County not to exceed \$24,000.00, as a sole source purchase.
(ADOPTED)
- [14947](#) A RESOLUTION awarding a twelve (12) month term and supply contract for the furnishing of recycled xerographic paper for use county-wide to Unisource, Inc., of Lenexa, KS, in the estimated amount of \$60,978.00 under an existing government contract of the Mid America Regional Council (MARC)/Kansas City Regional Purchasing Cooperative.
(ADOPTED)
- [14948](#) A RESOLUTION awarding a contract on Request for Proposals No. 8-04 for a license to provide concessions service at the Adair Park softball complex for an initial term of eight months with an option to extend for an additional twelve month period to Ron and Karen Bridges of Independence, MO, for a fee payable to the County during each scheduled season at the rate of \$1,810.00 per month.
(ADOPTED)
- [14949](#) A RESOLUTION awarding a contract for the maintenance of Novell software for use by the Management Information Systems Department to World Wide Technology of St. Louis, Missouri, under a State of Missouri government contract, at an actual cost to the County of \$65,842.00.
(ADOPTED)

To perfect Ordinances 3472, 3479. To adopt Ordinances 3473, 3477. To adopt Resolutions 14932, 14933, 14942, 14943, 14944, 14946, 14947, 14948, 14949.

Dan Tarwater moved the passage of the consent agenda. Seconded by Bob Spence. The motion passed by a roll call vote:

Yes: 7 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett, Ronald E. Finley, Rhonda L. Shoemaker and Bob Spence
Absent: 1 - Dennis Waits

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

None.

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[14950](#)

Ronald E. Finley moved the passage of Resolution #14950, encouraging the Citizens Stamp Advisory Committee and the Postmaster General to issue a stamp recognizing "York," an African-American participant of the Lewis and Clark expedition. Seconded by Dan Tarwater.

Yes: 8 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

(ADOPTED)

[14951](#)

Awarding a twelve-month term and supply contract, on Electronic Solicitation No. BB20046 for the furnishing of miscellaneous electrical supplies and tools for use by various departments, as a split award to Western Extralite Co. of Kansas City, MO and Rexel-Glasco of Kansas City, MO, in the estimated total amount of \$51,000.00.

(Finance and Audit Committee)

[14952](#)

Authorizing the awarding and execution of a lease agreement pursuant to the terms and conditions of a Johnson County, Kansas governmental contract, No. 2003-104, with Office Business Solutions of Olathe, Kansas, for the furnishing of photocopier equipment rental and service for use by the Office Services Department, in the estimated annual amount of \$37,118.24 and an estimated total sixty (60) month lease amount of \$185,591.20, to provide for departmental needs for the upcoming sixty (60) month period.

(Finance and Audit Committee)

No dissenting vote to consider Resolutions #14953 and #14954 - not on printed agenda.

[14953](#)

Ronald E. Finley moved the passage of Resolution #14953, expressing the sympathy of the Legislature and fellow Commissioners of the Jackson County Commission on Human Relations and Citizens Complaints to family and friends of Commissioner Maynard Eugene Harvey, Sr. upon the occasion of his untimely death. Seconded by Dan Tarwater.

Yes: 8 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

(ADOPTED)

Ronald E. Finley announced that the funeral for Maynard Eugene Harvey, Sr. will be held on Saturday, March 27, 2004 at the Metropolitan Missionary Baptist Church. Mr. Harvey was a long time member of the Office of Human Relations and Citizen Complaints and a very prominent citizen of Jackson County.

Ronald E. Finley said that Resolution #14954 is a scope for the performance audit. He worked with Kelly Markham-Stegall and Bob Spence on this resolution and he recommends adoption.

[14954](#) Rhonda L. Shoemaker moved do pass the Floor Amendment of 3/22/2004, to insert as the last bullet the words "A review of the County's progress in addressing the comments and recommendations of the National Institute of Justice's evaluation of the COMBAT program, dated August 1999", after the words "those needs," on page five. Seconded by Dennis Waits.

The motion passed by a voice vote.

(APPROVED)

[14954](#) Bob Spence moved to adopt Resolution #14954 as amended, establishing the requirements for the performance audit RFQ authorized by Resolution 14939 and establishing a process for the determination of the final scope of the performance audit of the Jackson County Community Backed Anti-Drug Tax (COMBAT) operations. Seconded by Ronald E. Finley.

Yes: 8 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

(ADOPTED)

[14955](#) Acknowledging the Ivanhoe Neighborhood Council in partnership with Keep Kansas City Beautiful as the recipient of the 2003 Keep America Beautiful First Place National Award in Litter Prevention.

(Health and Justice Committee)

[14956](#) Extending the term of and authorizing an increase in the amount of \$866,843.00 to the term and supply contract with Dell Marketing of Round Rock, Texas, for the furnishing of miscellaneous personal computers, hardware and software at a total estimated cost of \$1,001,843.00.

(Finance and Audit Committee)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

Scott Burnett, Chairman, said that two weeks ago on Ordinance #3471 he recused himself in perfection because his wife is a member of the board of the Behavioral Health Network. Last week he voted yes on the consent agenda for the adoption of Ordinance #3471. He asked Jay Haden, Deputy County Counselor, his legal opinion on whether they should rescind that vote.

Jay Haden does not believe that under state law voting in favor of the adoption of Ordinance #3471 is a conflict of interest because it is an uncompensated position. The Ordinance can be reconsidered if the legislature wishes to do so.

Dennis Waits moved to reconsider the adoption vote of Ordinance #3471. Seconded by Bob Spence.

The motion passed by a voice vote. (APPROVED)

Dan Tarwater moved to adopt Ordinance #3471. Seconded by Bob Spence.

Yes: 7 - Robert A. Stringfield, Fred Arbanas, Ronald E. Finley, Dennis Waits, Rhonda L. Shoemaker and Bob Spence.

Abstain: 1 - Scott Burnett

Absent: 1 - Henry Rizzo

(ADOPTED)

14 NEW BUSINESS

J. D. Stokes, Director of Public Works, gave an update on the status of the Public Works & Geographical Information System (GIS) Departments Technology Center.

The Kansas City Royals opening day is April 5, 2004. It is the intent of the Legislature to hold their legislative meeting at 9:00 a.m. in Kansas City on that date.

15 ADJOURNMENT

Dennis Waits moved to adjourn the meeting. Seconded by Ronald E. Finley.

The motion passed by a voice vote. (APPROVED)

Meeting adjourned until Monday, March 29, 2004 at 2:30 p.m. in the Kansas City Legislative Assembly Area.