

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Executive to execute a contract with the Jackson County Board of Services for the Developmentally Disabled to provide for partial funding of various programs of the Parks + Rec Department's Special Population Services Division.

RESOLUTION NO. 18704, January 26, 2015

INTRODUCED BY Frank White, County Legislator

WHEREAS, the Parks + Rec Department has applied to the Jackson County Board of Services for the Developmentally Disabled - EITAS for funding assistance for the Department's Special Population Services Division for 2015; and,

WHEREAS, the Board has agreed to provide a maximum sum of \$234,200.00 pursuant to the attached contract, to assist the Division with its programming, which is based on how learned social, physical, athletic, and developmental skills transfer into the individual's every day and vocational life; and,

WHEREAS, execution of this contract with the Board is in the best interest of the health, safety, and welfare of the citizens of the County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the County Executive be and hereby is authorized to execute the attached contract with the Jackson County Board of Services for the Developmentally Disabled.

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

APPROVED AS TO FORM:



Chief Deputy County Counselor



County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 18704 of January 26, 2015, was duly passed on _____, 2015 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Resolution No.: 18704

Sponsor(s): Frank White

Date: January 26, 2015

SUBJECT	<p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance Project/Title: <u>Authorizing the County Executive to execute a contract with Developmental Disability Services of Jackson County – EITAS, accepting a funding grant.</u></p>											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="321 520 1201 745"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$234,200</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$234,200</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td></td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION: <input checked="" type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: _____ Estimated Use: \$ _____</p> <p>Prior Year Budget (if applicable): \$234,200 Prior Year Actual Amount Spent (if applicable): _____</p>		Amount authorized by this legislation this fiscal year:	\$234,200	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$234,200	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number; FROM / TO	
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Total amount authorized after this legislative action:	\$234,200											
Amount budgeted for this item * (including transfers):	\$											
Source of funding (name of fund) and account code number; FROM / TO												
PRIOR LEGISLATION	Prior ordinances and (date): Prior resolutions and (date): # 18388 March 10, 2014											
CONTACT INFORMATION	RLA drafted by (name, title, & phone): Tina M. Spallo Superintendent of Recreation											
REQUEST SUMMARY	Resolution authorizing the County Executive to execute a contract with Developmental Disability Services of Jackson County – EITAS, accepting a grant to provide for partial funding of various programs of the Parks + Rec Department's Special Population Services Division. The Parks + Rec Department has applied to EITAS for funding assistance for the Department's Special Population Services Division for 2015. The Board has agreed to provide up to \$234,200 for these services for the term of this contract, January 1, 2015 to December 31, 2015.											
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)											
ATTACHMENTS												
REVIEW	<table border="1" data-bbox="300 1692 1546 1938"> <tr> <td>Department Director: Michele Newman, Director of Parks & Recreation <i>Michele Newman</i></td> <td>Date: 1-15-15</td> </tr> <tr> <td>Finance (Budget Approval): If applicable</td> <td>Date:</td> </tr> <tr> <td>Division Manager: <i>USOB</i></td> <td>Date: 1-15-15</td> </tr> <tr> <td>County Counselor's Office:</td> <td>Date:</td> </tr> </table>		Department Director: Michele Newman, Director of Parks & Recreation <i>Michele Newman</i>	Date: 1-15-15	Finance (Budget Approval): If applicable	Date:	Division Manager: <i>USOB</i>	Date: 1-15-15	County Counselor's Office:	Date:		
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Finance (Budget Approval): If applicable	Date:											
Division Manager: <i>USOB</i>	Date: 1-15-15											
County Counselor's Office:	Date:											

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

Jackson County Parks & Recreation - 2015

Contract

This Contract entered into this 1st day of January, 2015, by and between Jackson County, in behalf of Jackson County Parks and Recreation's Special Population Services, hereinafter referred to as "Provider", and Developmental Disability Services of Jackson County – Eitas, hereinafter referred to as "Eitas".

1. **Contract**

Eitas agrees to contract with Provider to fund specific services as described in the Provider's Proposal dated September 3, 2014 and approved by the Eitas Board of Directors on December 2, 2014.

Eitas has agreed to fund up to \$234,200 for these services.

2. **Term**

The term of this Contract shall be one year from January 1, 2015 to December 31, 2015.

3. **Client List**

The Provider shall provide to Eitas a list of all clients served in its program (those with a developmental disability and those without) for the prior six months and for each and every client as much of the following available information will be provided:

- (a) Date of birth;
- (b) Address, Provider and Zip Code;
- (c) Disability of each client;
- (d) Name of Sheltered Workshop in which client is employed or is supervised by;

(f) Percentage of clients in program who are residents of Jackson County, Missouri, who have developmental disabilities pursuant to 205.968 R.S.Mo. et seq., and who are served by a Sheltered Workshop or Residential facility program.

At least two-thirds (2/3) of all clients participating in this program must "Eligible Persons" and meets Eitas' eligibility requirements as follows:

The term "Eligible Persons" for purposes of this Contract includes any person who is a resident of Jackson County, Missouri and has a primary diagnosis of a developmental disability.

For purposes of the preceding sentence, a developmental disability means either or both of:

- (i) A disability which is attributable to an intellectual disability, cerebral palsy, autism, epilepsy, a learning disability related to a brain dysfunction or a similar condition found by comprehensive evaluation to be closely related to such conditions or require habilitation similar to that required for a person with an intellectual disability which originated before age 22 and which can be expected to continue indefinitely; and
- (ii) A developmental disability as defined from time to time in Section 630.005 of the Statutes.

Persons with a primary diagnosis of a mental illness shall not be deemed eligible for Eitas funding.

Determination of who is a resident of Jackson County, Missouri shall, in situations in which there is doubt, and for all purposes of this Contract, be made by Eitas.

Both Provider and Eitas shall adhere to confidentiality standards and HIPAA regulations, pursuant to those governing the disclosure of client information as outlined by the Kansas City Regional Office concerning the release of specific client information.

4. Accountability

(a) As part of its funding contingencies, Eitas requires Provider to implement an agency wide Outcomes Measurement System for Eligible Persons served based upon the Missouri Quality Outcomes.

The Provider shall work cooperatively with Eitas Support Services staff in the development, review, evaluation and reporting of these Outcomes.

Provider shall afford access to designated Eitas staff the premises where person are served, indentified individuals, pertinent records and to the guardian or parent where indicated pursuant to the development, review, evaluation and reporting on successful implementation of the Outcomes Measurement System.

In addition, Provider is to ensure that all staff are trained in the Missouri Quality Outcomes and their significance in working with individuals in the workplace.

(b) In the event that Eitas representatives become aware of problems, or observe situations that are detrimental to Eitas funded persons, Eitas will provide a written report to Provider detailing the issues.

A written response including an action plan and persons responsible for resolution shall be presented to Eitas within an agreed upon timeframe. Failure to address problems and issues brought to the attention of Provider may result in withholding or suspension of Eitas funding.

(c) Provider will comply with all local, state, and federal law. Provider will not discriminate against any Eligible Person on the basis of age, sex, religion, race or ethnicity, disability, sexual orientation, or financial status.

Provider shall maintain in effect an affirmative action policy, a sexual harassment policy, and a drugs and alcohol policy that are acceptable to Eitas and, in the case of the drugs and alcohol policy, satisfies all applicable standards for such

policies applicable to drivers established by any transit authority with jurisdiction over Provider.

Provider will not use or permit the use of Eitas owned facilities for religious purposes.

5. Contract Billing and Payment

(a) The Provider shall, within 15 days following the end of each month during the Term, deliver to Eitas an invoice for compensation due under this Contract for the preceding month.

Each invoice shall provide information about the Services provided under this Contract for the preceding month that is sufficient for Eitas to confirm the amount of compensation owed by Eitas to Provider each such month, and each such invoice shall be signed by appropriate official of Provider and shall be certified by Provider to Eitas as being true and correct.

(b) The Provider shall on the monthly invoice list the name, title, and responsibilities of each employee, the dates so employed, and the amounts paid to said employees.

The Provider also further agrees to submit to Eitas with its quarterly reports, an activity report which document the number of events/programs provided the total number of individuals attending each event/program, and the number of developmentally disabled residents of Jackson County attending each event/program under the Provider program.

6. Eitas Policies

The Provider shall abide by the philosophy and written policies adopted by Eitas that pertain to related services. Eitas shall provide to the Provider a copy of all such policies and at all times as Eitas adopts new written policies. Any proposed policy shall be mailed to the Provider in advance of Eitas meeting at which any new policies will be considered for adoption by Eitas.

7. Religious Use

Provider agrees that it will not directly or indirectly use any Eitas owned facility for religious purposes, nor will Provider use any funds from Eitas either directly or indirectly for religious purposes.

8. Sexual Harassment Policy

Provider shall have in place a sexual harassment policy and submit a copy of the same to Eitas. Such policy shall include verified on-going training for all personnel relating to sexual harassment and adequate procedural safeguards to report a complaint by either staff or clients.

9. Health Insurance Portability and Accountability Policy

Provider, if required by law, shall comply with all requirements of the Health Insurance Portability and Accountability Act hereinafter referred to as "HIPAA", as well as any and all federal rules and regulations pertaining to "HIPAA", as well as any and all federal rules and regulations pertaining to "HIPAA".

The parties further agree to timely enter into additional agreements or contracts as required by law to implement the requirements of "HIPAA". Provider shall submit to Eitas a copy of its policies regarding the same within thirty (30) days of the date any such policies are required by "HIPAA" law regulations.

10. Invoices

(a) Invoices for services rendered received 45 days or more after the month of service shall not be honored for payment unless approved by Eitas. All bills for services for calendar year 2015 must be submitted to Eitas by January 15, 2016.

(b) Eitas reserves the right to audit all invoices and to reject any invoice for good cause, including but not limited to the following reasons:

- (i) The original invoice is not signed by the appropriate official of the Provider.
 - (ii) The units invoiced for an authorized client or service are in excess of the amount provided in the Budget.
 - (iii) The invoice includes services or costs not authorized by Eitas.
 - (iv) The amounts invoiced for an authorized cost or services are in excess of the known amounts provided.
 - (v) The price for a cost or service differs from the agreed upon price.
- (c) Eitas retains the right to deduct from an invoice of the Provider any overpayment made by Eitas on a prior invoice
 - (d) Eitas retains the right to make invoice corrections/changes with appropriate notification to the Provider
 - (e) An invoice system must be developed which will enable Eitas to track and account for its dollars through a reporting process, which will be provided to Provider by Eitas.

Such reporting procedures will be jointly reviewed by the parties prior to utilization. The reporting system shall be basically the same as that required of other agencies funded by Eitas and consistent with Eitas' financial systems management policies set forth in the Policy and Procedures manual and the Funding Application packet.

- (f) Eitas will pay the Provider for all services provided based on actual costs to the Provider that shall be documented to Eitas by appropriate documentation.

Unless, otherwise provided, Eitas shall not pay the Provider a monthly pro-rated amount based on the yearly contract.

11. Notices

Provider shall give to Eitas' Executive Director written notice of:

- (i) The death of an Eligible Person;
- (ii) A serious accident involving an Eligible Person;
- (iii) A life threatening illness of an Eligible Person;
- (iv) The making of any formal allegations of mistreatment of an Eligible Person;
- (v) Notice of any investigation including but not limited to misuse of funds of an Eligible Person;
- (vi) Abuse, neglect, death or other investigation initiated by any accreditation or regulatory or other investigatory body with similar status, in each case within 24-hours after the Provider becomes aware of the occurrence of such event.

In addition, Provider shall furnish Eitas' Executive Director copies of:

- (i) Any and all reports issued by an investigatory agency promptly but to not exceed five work days of receipt concerning their respective findings;
- (ii) Any corrective action plan or quality improvement plan or recommendations issued to Provider as a result of an investigation; and
- (iii) Any other Provider response to an investigation.
- (iv) Provider also agrees to keep Eitas' Executive Director informed as to the course of any investigation and take active steps to secure any documents and/or reports related an investigation.
- (v) Provider shall notify Eitas' Executive Director within 24-hours of the occurrence of any event that impacts or might impact adversely on Provider's

ability to comply fully with the terms and conditions of this Contract.

12. Laws to Govern

The Provider shall comply with all local, state and federal laws and regulations including but not limited to the Americans with Disabilities Act and Section 504 of the Rehabilitation Act, if the Provider is a recipient of federal financial assistance.

Eitas makes no commitment as to funding the requirements of any local, state or federal law or regulations.

13. Work Product

The Provider agrees and understands that all work products developed as a result of the Provider's services under this Contract are to be used solely for the purposes of this contract. If the Provider wishes to use any work product developed under this Contract for any other purpose it must have the prior written consent of Eitas to do so.

14. Sunshine Law

The parties agree that the Provider is a "Governmental Body" pursuant to the Sunshine Law of the State of Missouri, Section 610.010 et seq. R.S. Mo.

15. Inspections

The Provider agrees to allow Eitas or its designated agent to monitor the Providers programs at any reasonable time.

16. **Audit**

Provider shall furnish annually, on or before ninety (90) days after its fiscal year, its certified audit and the audit must contain a management letter.

17. **Termination**

(a) This Contract may be terminated by either party by giving 30 days prior written notice to the other party of such termination

(b) This contract may be terminated by Eitas if in the sole judgment of Eitas, the funding available to Eitas during the Term is significantly less than had been anticipated by Eitas at the time the Contract was made and the reduction in funding causes continued performance under the Contract by Eitas to be fiscally imprudent.

18. **Documents**

The Provider shall provide any and all documents required by this Contract by mail, or by delivery to Eitas or by e-mail to jjacobs@eitas.org or its successor.

19. **Modifications**

This agreement constitutes the complete understanding of the parties hereto with respect to the subject matter and may be modified or amended only by written instrument executed by the parties.

IN WITNESS WHEREOF, the parties set their hands this _____

day of _____, 20_____.

JACKSON COUNTY, MISSOURI

Approved as to Form:

By: _____
County Counselor

By: _____
Mike Sanders, County Executive

**DEVELOPMENTAL DISABILITY SERVICES OF JACKSON COUNTY –
ETTAS**

By: _____
Jake Jacobs, Executive Director

LEGISLATURE

By: _____
Mary Jo Spino, Clerk of Legislature

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing a certain 10.33 ± acre tract from District AG (Agricultural) to District RE (Residential Estates).

ORDINANCE NO. 4712, January 26, 2015

BE IT ORDAINED by the County Legislature of Jackson County, Missouri as follows:

Section 1. The Zoning Order of Jackson County, Missouri, and the official maps which are a part thereof, are amended by changing the boundaries of the "AG" (Agricultural) District and the "RE" (Residential Estates) District, so that there will be transferred from District AG to District RE, a tract of land known as 2125 N. Six Mile Church Road, Independence, MO, and specifically described as follows:

Description: All that part of the Southwest Fractional Quarter of the Southwest Quarter of Section 18, Township 50 North, Range 30 West and all that part of the Northwest Quarter of the Northwest Quarter of Section 18, Township 50 North, Range 30, in Jackson County, Missouri, described as follows:

Commencing at the Northwest corner of the Southwest Fractional Quarter of the Southwest Quarter of said Section 19; thence South 2 degrees 25 minutes 10 seconds West along the West line thereof, 1269.40 feet to the true Point of Beginning; thence South 87 degrees 46 minutes 26 seconds East 958.73 feet to the East line of said Quarter Quarter Section; thence South 3 degrees 49 minutes 04 seconds West along said East line, 53.68 feet to the Northeast corner of the Northwest Quarter of the Northwest Quarter of said Section 19; thence South 2 degrees 58 minutes 46 seconds West along the East line of last described Quarter Quarter Section 417.13 feet; thence North 87 degrees 46 minutes 26 seconds West 951.96 feet to the West line of the Northwest Quarter of said Section 19; thence North 2 degrees 13 minutes 59 seconds East along the West line, 418.84 feet to the Northwest corner of the last described Quarter Quarter Section; thence North 2 degrees 25 minutes 10 seconds East along the West line of the Southwest Fractional Quarter of the Southwest Quarter of Section 18, 51.91 feet to the true Point of Beginning, except that part in Six Mile Church Road, being Tract 3 as shown on the Survey recorded April 8, 1991, as Document no. I-1033654 in Survey Book T-4 at page 77.

Section 2. The Legislature, pursuant to the application of Gerald W. and Janet E. Syler, (RZ-2015-512), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 8 to 0 to recommend APPROVAL of this application after a public hearing on January 15, 2015, does adopt this Ordinance pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:



Chief Deputy County Counselor



County Counselor

I hereby certify that the attached Ordinance, Ordinance No. 4712 introduced on January 26, 2015, was duly passed on _____, 2015 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

This Ordinance is hereby transmitted to the County Executive for his signature.

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 4712.

Date

Michael D. Sanders, County Executive

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res~~/Ord No.: 4712

Sponsor(s): None

Date: January 26, 2015

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Gerald W. & Janet E. Syler Case No. RZ-2015-512</u>											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="324 462 1201 777"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT TO ACCT</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> OTHER FINANCIAL INFORMATION: <input checked="" type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: _____ Estimated Use: \$ _____ Prior Year Budget (if applicable): _____ Prior Year Actual Amount Spent (if applicable): _____		Amount authorized by this legislation this fiscal year:	\$	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT
Amount authorized by this legislation this fiscal year:	\$											
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Total amount authorized after this legislative action:	\$											
Amount budgeted for this item * (including transfers):	\$											
Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT											
PRIOR LEGISLATION	Prior ordinances and (date): _____ Prior resolutions and (date): _____											
CONTACT INFORMATION	RLA drafted by Randy Diehl, Planning and Zoning Coordinator, 881-4577											
REQUEST SUMMARY	Requesting a change of zoning from District AG (Agricultural) on a 10.33 ± acre tract to District RE (Residential Estates). The 10.33 ± acres are described are located in Sections 18 & 19, Township 50, Range 30 at 2125 N. Six Mile Church Road. The 10.33 ± acres will be platted as a two lot subdivision, Twelve Oaks, and specifically described on Attachment to RLA-1. Staff recommends approval because the change in zoning is consistent with the intent and purpose of the County Plan and complies with the Unified Development Code requirements. The Jackson County Plan Commission voted 8 to 0 to recommend <u>APPROVAL</u> to the County Legislature.											
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)											
ATTACHMENTS	See Attachment to RLA-2											
REVIEW	<table border="1" data-bbox="308 1669 1526 1921"> <tr> <td>Department Director:</td> <td>Date: 01/20/2015</td> </tr> <tr> <td>Earl Newill, Acting Director <i>Earl Newill</i></td> <td></td> </tr> <tr> <td>Finance (Budget Approval): <i>If applicable</i></td> <td>Date:</td> </tr> <tr> <td>Division Manager: <i>ASB</i></td> <td>Date: <i>1-22-15</i></td> </tr> <tr> <td>County Counselor's Office:</td> <td>Date:</td> </tr> </table>		Department Director:	Date: 01/20/2015	Earl Newill, Acting Director <i>Earl Newill</i>		Finance (Budget Approval): <i>If applicable</i>	Date:	Division Manager: <i>ASB</i>	Date: <i>1-22-15</i>	County Counselor's Office:	Date:
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Division Manager: <i>ASB</i>	Date: <i>1-22-15</i>											
County Counselor's Office:	Date:											

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

ATTACHMENT TO RLA-2:

Attachments

Plan Commission Public Hearing Summary from January 15, 2015

Location Map

Staff Report

Affidavit of Publication in Independence Examiner

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Map showing current zoning district in area

County Code Chapter 240 – Unified Development Code

County Master Plan – “Strategy for the Future”

Application

Copy of Twelve Oaks– Preliminary Plat

Photos of Property

RZ-2015-512

ATTACHMENT TO RLA 1:

Description:

All that part of the Southwest Fractional Quarter of the Southwest Quarter of Section 18, Township 50 North, Range 30 West and all that part of the Northwest Quarter of the Northwest Quarter of Section 18, Township 50 North, Range 30, in Jackson County, Missouri, described as follows:

Commencing at the Northwest corner of the Southwest Fractional Quarter of the Southwest Quarter of said Section 19; thence South 2 degrees 25 minutes 10 seconds West along the West line thereof, 1269.40 feet to the true Point of Beginning; thence South 87 degrees 46 minutes 26 seconds East 958.73 feet to the East line of said Quarter Quarter Section; thence South 3 degrees 49 minutes 04 seconds West along said East line, 53.68 feet to the Northeast corner of the Northwest Quarter of the Northwest Quarter of said Section 19; thence South 2 degrees 58 minutes 46 seconds West along the East line of last described Quarter Quarter Section 417.13 feet; thence North 87 degrees 46 minutes 26 seconds West 951.96 feet to the West line of the Northwest Quarter of said Section 19; thence North 2 degrees 13 minutes 59 seconds East along the West line, 418.84 feet to the Northwest corner of the last described Quarter Quarter Section; thence North 2 degrees 25 minutes 10 seconds East along the West line of the Southwest Fractional Quarter of the Southwest Quarter of Section 18, 51.91 feet to the true Point of Beginning, except that part in Six Mile Church Road, being Tract 3 as shown on the Survey recorded April 8, 1991, as Document no. I-1033654 in Survey Book T-4 at page 77.

Jackson County Plan Commission

Summary of Public Hearing

Date: January 15, 2015

Place: Independence City Hall,
Conference Room D
111 E Maple, Independence, MO

Attendance: Chairman Antey
Mr. Gibler
Mr. Haley
Mr. Crawford
Mrs. Mershon
Mrs. Querry
Mr. Akins
Mr. Tarpley

Staff: Randy Diehl
Chris Jenkins
Kristen Geary

RE: RZ-2015-512

Applicant: Gerald W. & Janet E. Syler

Location: Sections 18 & 19, Township 50, Range 30,
2125 N. Six Mile Church Road

Area: 10.33 ± acres

Request: Change of zoning from District AG (Agricultural) to District RE (Residential Estates)

Purpose: Applicant is requesting the change in zoning in order to subdivide property into a two lot subdivision to be known as Twelve Oaks.

Current Land Use and Zoning in the Area:

The zoning in the area is predominantly Agricultural with the majority of the land use being single family residences. In the immediate area there are four subdivisions, with lot sizes ranging from less than an acre to 5 acres. These subdivisions were created prior to the adoption of the Unified Development Code (UDC) and therefore remain within District AG (Agricultural).

The unplatted properties in the area range from 2 acres and larger tracts up to 40 acres in size. To the South is Philips Estates, rezoned in 1995 and platted into two lots.

County Plan: The County Plan Development Diagram illustrates this area within the Suburban Development Tier (SDT). The Residential Suburban District (RE) is appropriate for the Suburban Development Tier.

Recommendation:

This request for rezoning is consistent with the intent and purpose of the County Plan. Staff recommends APPROVAL of RZ-2015-512

Chairman Antey: Are there any questions for Randy or staff? *(there were none)*
Mr. Tarpley: Are they going to share the same driveway?
Randy Diehl: No, there is a driveway on the North lot, just before the house.
Chairman Antey: Is the applicant or his representative here?
Gerald Syler: 2125 N Six Mile Church Rd, Independence, MO 64058
Chairman Antey: Do you have anything to add to Randy's report?
Gerald Syler: No.
Chairman Antey: Does anyone have any questions for the applicant?
(There were no questions)
Is there anyone else present who would like to speak in favor of this application? *(There was none)*
Is there anyone present who would like to speak who is opposed to or has questions concerning this application?
(There was none)

Mr. Tarpley motioned to take this under advisement. Mr. Haley seconded.
Voice Vote: Motion Carried 8 – 0.

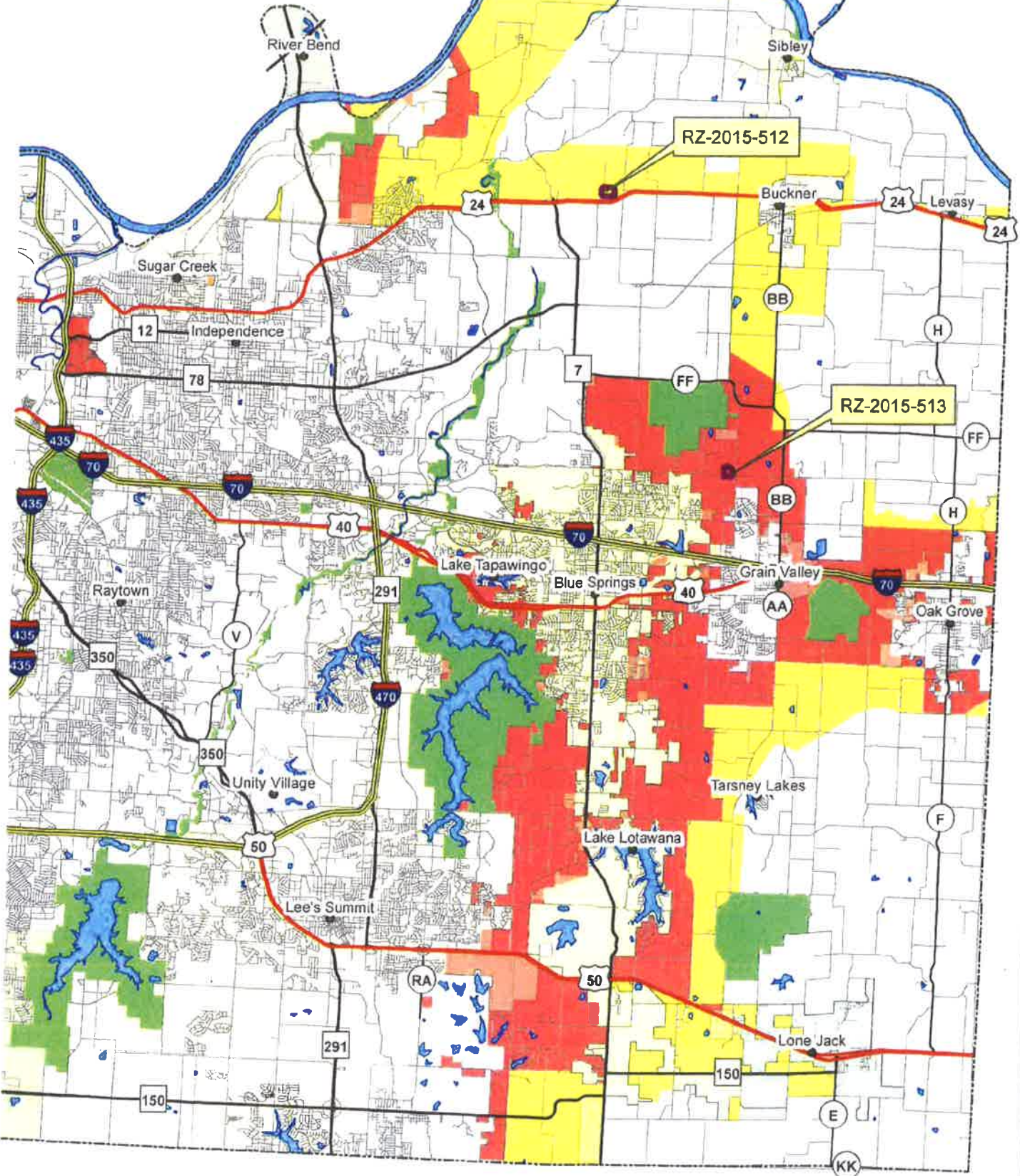
Mr. Akins Looks easy.

Mrs. Query motioned to approve RZ-2014-512. Mr. Akins seconded.

Mr. Akins	Approve	Mr. Haley	Approve
Mrs. Query	Approve	Mr. Crawford	Approve
Mr. Gibler	Approve	Mrs. Mershon	Approve
Mr. Tarpley	Approve	Chairman Antey	Approve

Motion Carried 8 – 0.

Jackson County Plan Commission
January 15, 2015
Agenda Location Map



STAFF REPORT

**PLAN COMMISSION
January 15, 2015**

RE: RZ-2015-512

Applicant: Gerald W. & Janet E. Syler

Location: Sections 18 & 19, Township 50, Range 30,
2125 N. Six Mile Church Road

Area: 10.33 ± acres

Request: Change of zoning from District AG (Agricultural) to District RE
(Residential Estates)

Purpose: Applicant is requesting the change in zoning in order to subdivide
property into a two lot subdivision to be known as Twelve Oaks.

Current Land Use and Zoning in the Area:

The zoning in the area is predominantly Agricultural with the majority of the land use being single family residences. In the immediate area there are four subdivisions, with lot sizes ranging from less than an acre to 5 acres. These subdivisions were created prior to the adoption of the Unified Development Code (UDC) and therefore remain within District AG (Agricultural).

The unplatted properties in the area range from 2 acres and larger tracts up to 40 acres in size.

To the South is Philips Estates, rezoned in 1995 and platted into two lots.

County Plan:

The County Plan Development Diagram illustrates this area within the Suburban Development Tier (SDT).

The Residential Suburban District (RE) is appropriate for the Suburban Development Tier.

Recommendation:

This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RZ-2015-512

Respectfully submitted,

**Randy Diehl
Zoning Compliance Supervisor**

Planning and Zoning Division

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI)
County of Jackson) SS.

I, **KATHERINE M. JONES**, being duly sworn according to law, state that I am the LEGAL CLERK and agent of THE EXAMINER, a daily newspaper of general circulation in the County of Jackson, State of Missouri, where located; which newspaper has been admitted to the Post Office as a periodical class matter in the City of Independence, Missouri, the city of publication; which newspaper has been published regularly and consecutively for a period of three years and has a list of bona fide subscribers, voluntarily engaged as such who have paid or agreed to pay a stated price for a subscription for a definite period of time, and that such newspaper has complied with the provisions of Section 493.050, Revised Statutes of Missouri 2000, and Section 59.310, Revised Statutes of Missouri 2000. The affixed notice appeared in said newspaper in the following issues: December 31, 2014
Commencing on _____

and ending on December 31, 2014, being the issues of:
December 31, 2014

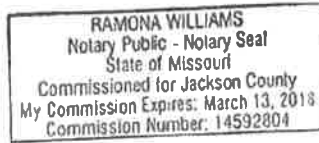
being Volume 110 Numbers: 160

Signed Kath M. Jones
Legal Clerk, Katherine M. Jones

Subscribed and sworn to before me on this 31st day of
December, 2014

Ramona Williams
Notary Public, Ramona Williams

My commission expires March 13, 2018



PUBLIC HEARING
The Jackson County Plan Commission will hold public hearings at 8:30 a.m. on Thursday, January 15, 2015 in Conference Room D, Ground Floor, City Hall, 111 East Maple, Independence, MO on the following requests:
1. RZ-2015-512 - Gerald W. & Janet E. Syler.
Requesting a change of zoning from District AG (Agricultural) on a 10.33 ± acre tract to District RE (Residential Estates). The 10.33 ± acres are located in Sections 18 & 19, Township 50, Range 30, Jackson County, Missouri aka 2125 N. Six Mile Church Road.
2. RZ-2015-513 - Rogene F. Knudsen Trust.
Requesting a change of zoning from District AG (Agricultural) on a 10.13 ± acre tract to District RE (Residential Estates). The 10.13 ± acres are located in Section 15, Township 49, Range 30, Jackson County, Missouri aka 30802 E. Pink Hill Road.
For further details, exact locations and specific boundaries of these requests, contact Public Works Planning and Development Division at 881-4649, 303 W. Walnut, Independence, MO where the applications are accessible for inspection.
Persons with disabilities wishing to participate in the meeting and requiring a reasonable accommodation may call the Jackson County Public Works Planning and Development Division at 881-4649 or 1-800-735-2466 (Missouri Relay); 48 hour notice is required.
Jackson County Public Works
Planning & Zoning Division
Randy Diehl, Zoning Compliance Supervisor
December 31, 2014

Publishing Fee: _____

Received payment _____ per _____

**Plan Commission January 15, 2015
Applicant/ Property Owner**

18-300-02-10-00-0-00-000

Syler, Gerald W & Janet E

2125 N. Six Mile Church Road

Independence MO

64058

Certified Mail
Return Receipt
Property Owners within 185 feet

Parcel Number	Owner	Address	City	State	Zip
08-900-03-14-00-0-00-000	BOYCE JAMES J & LINDA M	2209 E SIX MILE CHURCH RD	INDEPENDENCE	MO	64058
17-100-01-20-00-0-00-000	CROWDER CURTIS GLENN &	2122 N SIX MILE CHURCH RD	INDEPENDENCE	MO	64058
17-100-01-06-00-0-00-000	DEASON DONALD R & REBECCA M	2100 SIX MILE CHURCH RD	INDEPENDENCE	MO	64058
08-900-03-13-00-0-00-000	EDWARDS WESLEY W & JENNIE I	2217 N SIX MILE CHURCH RD	INDEPENDENCE	MO	64058
17-100-01-04-00-0-00-000	GANN LARRY N & PEGGY J	2116 N SIX MILE CHURCH RD	INDEPENDENCE	MO	64058
17-100-01-18-00-0-00-000	GANN LARRY N & PEGGY J	2116 N SIX MILE CHURCH RD	INDEPENDENCE	MO	64058
09-700-04-09-02-1-00-000	MILLER JEFFREY T & WAGES JO A	2204 N SIX MILE CHURCH RD	INDEPENDENCE	MO	64058
17-100-01-05-00-0-00-000	NORRIS MARK W & MARY ANN	2106 N SIX MILE CHURCH RD	INDEPENDENCE	MO	64058
18-300-02-11-00-0-00-000	OLIPHANT TERRY N & PAMELA C	2105 N SIX MILE CHURCH RD	INDEPENDENCE	MO	64058
18-300-02-13-00-0-00-000	OLIPHANT TERRY N & PAMELA C	2105 N SIX MILE CHURCH RD	INDEPENDENCE	MO	64058
08-900-03-07-00-0-00-000	THE JOHN E DENTON REVOCABLE TR	2105 N SIX MILE CHURCH RD	INDEPENDENCE	MO	64058
18-300-02-01-00-0-00-000	THE JOHN E DENTON REVOCABLE TR	8965 W ASBURY DR	LAKEWOOD	CO	80227
17-100-01-19-00-0-00-000	THOMAS STEVEN R & ELIZABETH G	8965 W ASBURY DR	LAKEWOOD	CO	80227
		2124 N SIX MILE CHURCH RD	INDEPENDENCE	MO	64058



Jackson County Zoning Map

Legend

300' Notification Area

Pending Rezoning

Residential Suburban

Residential Estates

Streets

Tax Parcels

Rezoning

Zoning

RR-Residential Ranchette

RRp-Residential Ranchette-Planned

RE-Residential Estates

RS-Residential Suburban

RU-Residential Urban

A(r)-Single-Family

B(r)-Two-Family

C(r)-Multi-Family

A1-Mobile Homes District

ROP-Residential Office-Planned

LB-Local Business

LBp-Local Business-Planned

GB-General Business

GBp-General Business-Planned

U-Light Industrial

Up-Light Industrial-Planned

HI-Heavy Industrial



EX. 5

RZ-2015-512

Ord

1 inch = 400 feet

**JACKSON COUNTY, MISSOURI
APPLICATION FOR CHANGE OF ZONING**

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Planning and Development Division, 303 W. Walnut, Independence, Missouri 64050 by the date on the Plan Commission Calendar.
2. Application must be typed or printed in a legible manner.
3. All applicable sections must be completed. If you need more space to provide information, please use separate 8 1/2"x11" paper, reference the application number and attach it to the application. Incomplete applications will not be accepted and will be returned to the applicant.
4. Attach application for subdivision approval, consistent with the requirements of UDC Section 24003.10, as may be required.
5. The filing fee (non-refundable) must accompany application.
(Check payable to: Manager of Finance)
\$350.00 – Change of Zoning to Residential
\$500.00 – Change of Zoning to Commercial or Industrial

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Rezoning Case Number RZ- 2015- 512
Date filed 12-8-14 Date of hearing 1-16-15
Date advertised _____ Date property owners notified _____
Date signs posted _____
Hearings: Heard by _____ Date _____ Decision _____
Heard by _____ Date _____ Decision _____
Heard by _____ Date _____ Decision _____

BEGIN APPLICATION HERE:

1. **Data on Applicant(s) and Owner(s):**
 - a. Applicant(s) Name: Jerry Syke
Address: 2125 N Six Mile Church Rd
Independence Mo 64055
Phone: 816-564-3621
 - b. Owner(s) Name: Terry Syke
Address: 2125 N. Six mile Church Rd
Phone: 564-3621
 - c. Agent(s) Name: Lee Bodabreiner

Address: 16816 E 40 Hwy

Phone: 816 478 2323

d. Applicant's interest in Property: owner

2. General location (Road Name) Six mile Church Rd

3. Present Zoning AG Requested Zoning RE

4. AREA (sq. ft. / acres) 10 acres

5. Legal Description of Property: (Write Below or Attached 9)

attached

6. Present Use of Property: House

7. Proposed Use of Property: 2 lots

8. Proposed Time Schedule for Development: JAN. 2015

9. What effect will your proposed development have on the surrounding properties?

None

10. Is any portion of the property within the established flood plain as shown on the FEMA Flood Boundary Map? NO

If so, will any improvements be made to the property which will increase or decrease the elevation? _____

11. Describe the source/method which provides the following services, and what effect the development will have on same:

a. Water Indep.

b. Sewage disposal septic

c. Electricity KCP&I

d. Fire and Police protection County

12. Describe existing road width and condition: Asphalt

13. What effect will proposed development have on existing road and traffic conditions? None

14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? no

If so, describe giving dates of application and status (include permit numbers and copies of same, if issued):

Verification: I (We) hereby certify that all of the foregoing statements contained in any papers and/or plans submitted herewith are true to the best of my (our) knowledge and belief.

Signature _____ Date 12/8/17
Property Owner(s) Gerald Syler

Applicant(s): GERALD Syler
2225 N. 5 MILE COUNTRY A-D
ZOOPE MO. 64060

Contract Purchaser(s): _____

STATE OF Missouri
COUNTY OF Clay

On this 8th day of December, in the year of 2017, before me the undersigned notary public, personally appeared _____
Gerald W. Syler

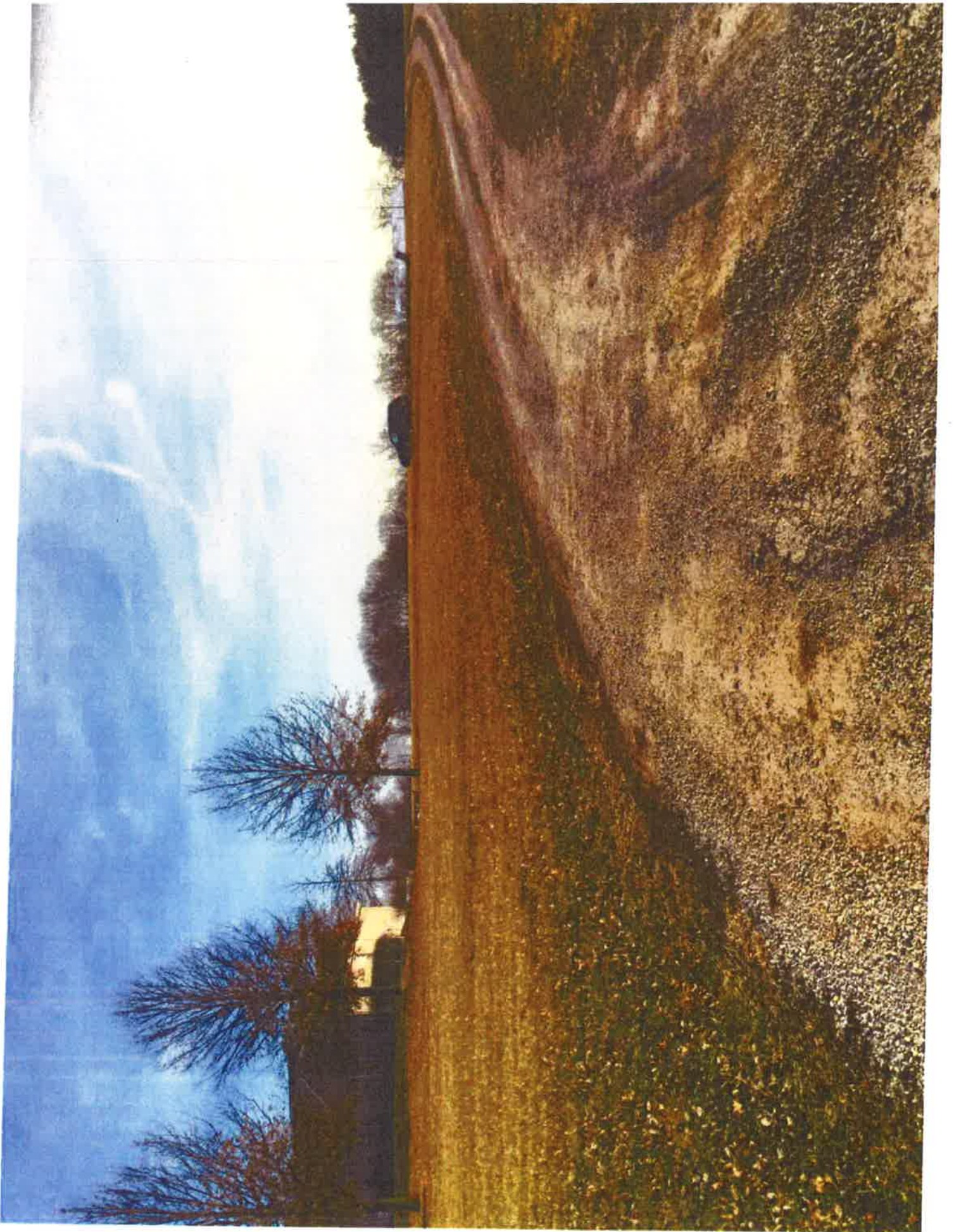
known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public Stephanie Awetzel Commission Expires 12/4/17

Stephanie A. Wetzel
Notary Public - Notary Seal
STATE OF MISSOURI
Clay County
My Commission Expires: December 4, 2017
Commission #13554406





IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing a certain 10.13 ± acre tract from District AG (Agricultural) to District RE (Residential Estates).

ORDINANCE NO. 4713, January 26, 2015

BE IT ORDAINED by the County Legislature of Jackson County, Missouri as follows:

Section 1. The Zoning Order of Jackson County, Missouri, and the official maps which are a part thereof, are amended by changing the boundaries of the "AG" (Agricultural) District and the "RE" (Residential Estates) District, so that there will be transferred from District AG to District RE, a tract of land known as 30802 E. Pink Hill Road, Grain Valley, MO, and specifically described as follows:

Description: All that part of the Southwest quarter of the Southwest quarter of Section 15, Township 49, Range 30, in Jackson County Missouri, more particularly described as; Beginning at the Southwest corner of said quarter quarter section; thence North 01 degrees 31 minutes 19 seconds East, along the West line of said quarter quarter section, a distance of 805.28 feet; thence South 87 degrees 17 minutes 39 seconds East, a distance of 243.46 feet; thence North 02 degrees 42 minutes 21 seconds East, a distance of 61.16 feet; thence South 87 degrees 17 minutes 39 seconds East, a distance of 180.33 feet; thence South 01 degrees 31 minutes 19 seconds West, a distance of 64.19 feet; thence South 44 degrees 12 minutes 36 seconds West, a distance of 237.33 feet; thence South 88 degrees 28 minutes 41 seconds East, a distance of 160.51 feet; thence South 01 degrees 31 minutes 19 seconds West, a distance of 28.81 feet; thence South 88 degrees 28 minutes 41 seconds East, a distance of 203.16 feet; thence South 01 degrees 31 minutes 19 seconds West, a distance of 603.20 feet, to a point on the South line of said quarter quarter section; thence North 87 degrees 17 minutes 39 seconds West, along the South line of said quarter quarter section, distance of 627.86 feet, to the Point of Beginning. Containing 10.14 acres. Except that part in roads.

Section 2. The Legislature, pursuant to the application of the Rogene F. Knudsen Trust, (RZ-2015-513), requesting the amendment embodied in this Ordinance and with notice

that the Jackson County Plan Commission voted 8 to 0 to recommend APPROVAL of this application after a public hearing on January 15, 2015, does adopt this Ordinance pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:



Chief Deputy County Counselor



County Counselor

I hereby certify that the attached Ordinance, Ordinance No. 4713 introduced on January 26, 2015, was duly passed on _____, 2015 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

This Ordinance is hereby transmitted to the County Executive for his signature.

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 4713.

Date

Michael D. Sanders, County Executive

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res/Ord~~ No.: 4713

Sponsor(s): None

Date: January 26, 2014

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Rogene F Knudsen Trust Case No. RZ-2015-513</u>																			
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="332 462 1209 777"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td></td> <td>\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td></td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td></td> <td>\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td></td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT</td> <td></td> </tr> <tr> <td></td> <td>TO ACCT</td> <td></td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> OTHER FINANCIAL INFORMATION: <input checked="" type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: _____ Estimated Use: \$ _____ Prior Year Budget (if applicable): _____ Prior Year Actual Amount Spent (if applicable): _____		Amount authorized by this legislation this fiscal year:		\$	Amount previously authorized this fiscal year:		\$	Total amount authorized after this legislative action:		\$	Amount budgeted for this item * (including transfers):		\$	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT			TO ACCT	
Amount authorized by this legislation this fiscal year:		\$																		
Amount previously authorized this fiscal year:		\$																		
Total amount authorized after this legislative action:		\$																		
Amount budgeted for this item * (including transfers):		\$																		
Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT																			
	TO ACCT																			
PRIOR LEGISLATION	Prior ordinances and (date): _____ Prior resolutions and (date): _____																			
CONTACT INFORMATION	RLA drafted by Randy Diehl, Planning and Zoning Coordinator, 881-4577																			
REQUEST SUMMARY	Requesting a change of zoning from District AG (Agricultural) on a 10.13 ± acre tract to District RE (Residential Estates). The 10.13 ± acres are described are located in Section 15, Township 49, Range 30 at 30802 E. Pink Hill Road. The 10.13 ± acres will be platted as a three lot subdivision, Knudsen Acres, and specifically described on Attachment to RLA-1. Staff recommends approval because the change in zoning is consistent with the intent and purpose of the County Plan and complies with the Unified Development Code requirements. The Jackson County Plan Commission voted 8 to 0 to recommend <u>APPROVAL</u> to the County Legislature.																			
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)																			
ATTACHMENTS	See Attachment to RLA-2																			
REVIEW	<table border="1" data-bbox="316 1669 1555 1932"> <tr> <td>Department Director:</td> <td></td> <td>Date: 01/20/2015</td> </tr> <tr> <td>Earl Newill, Acting Director</td> <td><i>Earl Newill</i></td> <td></td> </tr> <tr> <td>Finance (Budget Approval): <i>If applicable</i></td> <td></td> <td>Date:</td> </tr> <tr> <td>Division Manager:</td> <td><i>[Signature]</i></td> <td>Date: 1-22-15</td> </tr> <tr> <td>County Counselor's Office:</td> <td></td> <td>Date:</td> </tr> </table>		Department Director:		Date: 01/20/2015	Earl Newill, Acting Director	<i>Earl Newill</i>		Finance (Budget Approval): <i>If applicable</i>		Date:	Division Manager:	<i>[Signature]</i>	Date: 1-22-15	County Counselor's Office:		Date:			
Department Director:		Date: 01/20/2015																		
Earl Newill, Acting Director	<i>Earl Newill</i>																			
Finance (Budget Approval): <i>If applicable</i>		Date:																		
Division Manager:	<i>[Signature]</i>	Date: 1-22-15																		
County Counselor's Office:		Date:																		

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.

- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

RZ-2015-513

ATTACHMENT TO RLA 1:

Description:

All that part of the Southwest quarter of the Southwest quarter of Section 15, Township 49, Range 30, in Jackson County Missouri, more particularly described as; Beginning at the Southwest corner of said quarter quarter section; thence North 01 degrees 31 minutes 19 seconds East, along the West line of said quarter quarter section, a distance of 805.28 feet; thence South 87 degrees 17 minutes 39 seconds East, a distance of 243.46 feet; thence North 02 degrees 42 minutes 21 seconds East, a distance of 61.16 feet; thence South 87 degrees 17 minutes 39 seconds East, a distance of 180.33 feet; thence South 01 degrees 31 minutes 19 seconds West, a distance of 64.19 feet; thence South 44 degrees 12 minutes 36 seconds West, a distance of 237.33 feet; thence South 88 degrees 28 minutes 41 seconds East, a distance of 160.51 feet; thence South 01 degrees 31 minutes 19 seconds West, a distance of 28.81 feet; thence South 88 degrees 28 minutes 41 seconds East, a distance of 203.16 feet; thence South 01 degrees 31 minutes 19 seconds West, a distance of 603.20 feet, to a point on the South line of said quarter quarter section; thence North 87 degrees 17 minutes 39 seconds West, along the South line of said quarter quarter section, distance of 627.86 feet, to the Point of Beginning. Containing 10.14 acres. Except that part in roads.

ATTACHMENT TO RLA-2:

Attachments

Plan Commission Public Hearing Summary from January 15, 2015

Location Map

Staff Report

Affidavit of Publication in Independence Examiner

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Map showing current zoning district in area

County Code Chapter 240 – Unified Development Code

County Master Plan – “Strategy for the Future”

Application

Copy of Knudsen Acres – Preliminary Plat

Photos of Property

Jackson County Plan Commission

Summary of Public Hearing

Date: January 15, 2015

Place: Independence City Hall,
Conference Room D
111 E Maple, Independence, MO

Attendance: Chairman Antey
Mr. Gibler
Mr. Haley
Mr. Crawford
Mrs. Mershon
Mrs. Query
Mr. Akins
Mr. Tarpley

Staff: Randy Diehl
Chris Jenkins
Kristen Geary

RE: RZ-2015-513

Applicant: Rogene F Knudsen Trust

Location: Section 15, Township 49, Range 30,
30802 E. Pink Hill Road

Area: 10.13 ± acres

Request: Change of zoning from District AG (Agricultural) to District RE (Residential Estates)

Purpose: Applicant is requesting the change in zoning in order to subdivide property into a three lot subdivision to be known as Knudsen Acres.

Current Land Use and Zoning in the Area:

The zoning in the area is Agricultural and Residential with the majority of the land use being single family residences. There are nine subdivisions in the area, rezoned to District RE. These have been established since the adoption of the Unified Development Code (UDC) in 1995. There are at least nine subdivisions created prior to the adoption of the UDC. These subdivisions remain with in District AG (Agricultural). Two separate lots within these previously created subdivisions have been rezoned from AG to RE.

The unplatted properties in the area range in size from 5 acres and larger.

The proposed subdivision is being created out of 40 acre tract. The remaining property will remain within District AG.

County Plan:

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT). The Residential Suburban District (RE) is appropriate for the Urban Development Tier.

Recommendation:

This request for rezoning is consistent with the intent and purpose of the County Plan. Staff recommends APPROVAL of RZ-2015-513

- Chairman Antey: Are there any questions for Randy or staff?
Mr. Tarpley: How do you access this particular lot?
Randy Diehl: It is on Pink Hill. We did go out there and we did a site distance test. We will limit the driveway access because of the site distance.
- Mr. Tarpley: What is the site distance?
Randy Diehl: To the left it's 350' and to the right it's 460'. The allowed location is on a high spot that allows you to be able to see both ways.
- Chairman Antey: Are there any other questions for Randy or staff? (there were none) Is the applicant or his representative available?
- Brant Ladwig: Ladwig & Assoc. 33604 E 235th, Pleasant Hill, MO 64080. I'm here on behalf of the property owner. A brief idea of the owners intention is that this is an elderly couple who are trying to get their estate in order. They have 3 sons that they want to divide a portion of the property so that each can have a home site.
- Chairman Antey: Does anyone have any questions for the applicants representative? (there were none)
- Chairman Antey: Is there anyone else present who would like to speak in favor of this application? (*There was none*)
Is there anyone present who would like to speak who is opposed to or has questions concerning this application? (*There was none*)

Mr. Haley motioned to take this under advisement. Mr. Akins seconded.
Voice Vote: Motion Carried 8 – 0.

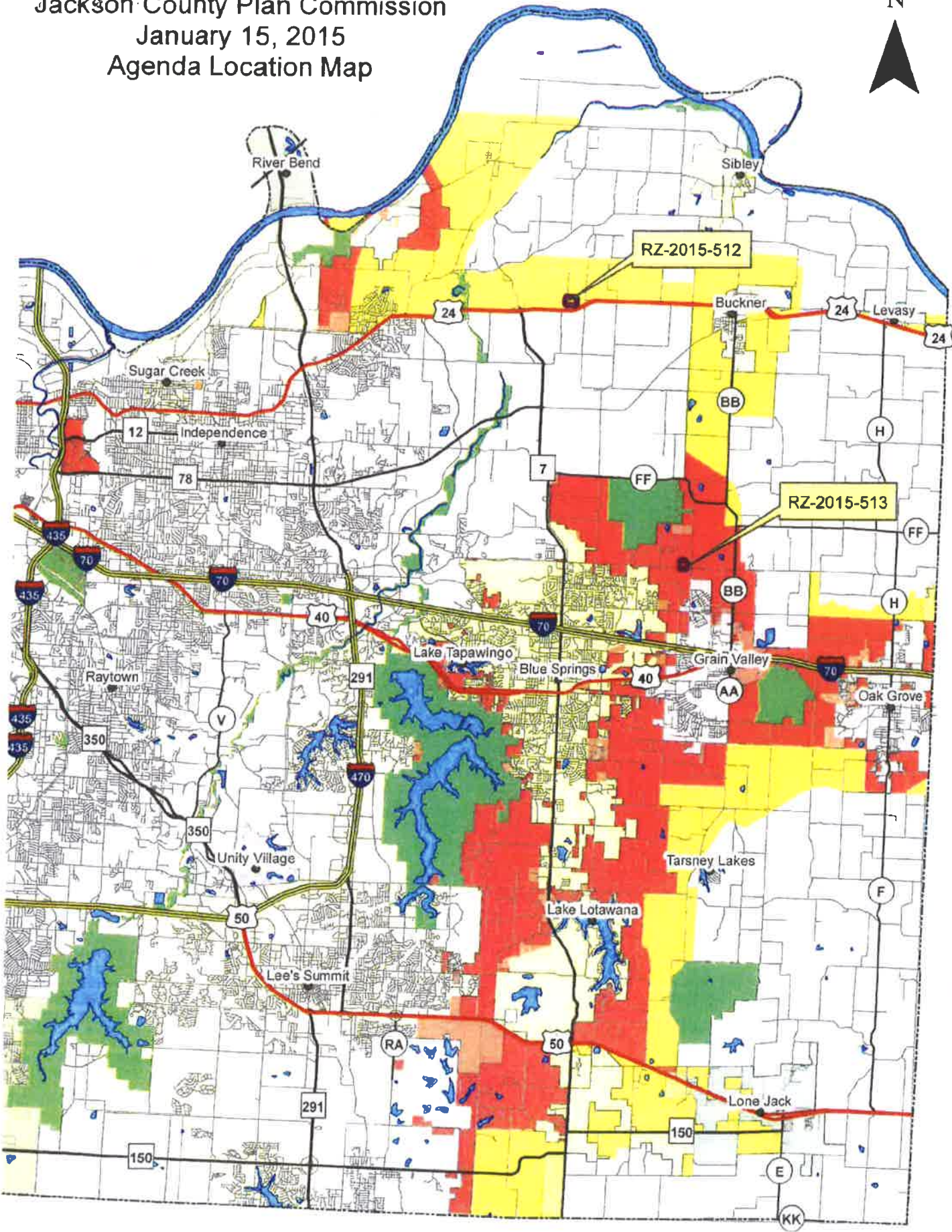
Chairman Antey: Are there any questions or comments? (there were none)

Mrs. Query motioned to approve RZ-2014-513. Mr. Akins seconded.

Mr. Akins	Approve	Mr. Haley	Approve
Mrs. Query	Approve	Mr. Crawford	Approve
Mr. Gibler	Approve	Mrs. Mershon	Approve
Mr. Tarpley	Approve	Chairman Antey	Approve

Motion Carried 8 – 0.

Jackson County Plan Commission
January 15, 2015
Agenda Location Map



STAFF REPORT

PLAN COMMISSION
January 15, 2015

RE: RZ-2015-513

Applicant: Rogene F Knudsen Trust

Location: Section 15, Township 49, Range 30,
30802 E. Pink Hill Road

Area: 10.13 ± acres

Request: Change of zoning from District AG (Agricultural) to District RE
(Residential Estates)

Purpose: Applicant is requesting the change in zoning in order to subdivide
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Current Land Use and Zoning in the Area:

The zoning in the area is Agricultural and Residential with the majority of the land use being single family residences. There are nine subdivisions in the area, rezoned to District RE. These have been established since the adoption of the Unified Development Code (UDC) in 1995. There are at least nine subdivisions created prior to the adoption of the UDC. These subdivisions remain within District AG (Agricultural). Two separate lots within these previously created subdivisions have been rezoned from AG to RE.

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The proposed subdivision is being created out of 40 acre tract. The remaining property will remain within District AG.

County Plan:

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT).

The Residential Suburban District (RE) is appropriate for the Urban Development Tier.

Recommendation:

This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RZ-2015-513

Respectfully submitted,

Randy Diehl
Zoning Compliance Supervisor

Planning and Zoning Division

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI
County of Jackson)

} SS.

I, **KATHERINE M. JONES**, being duly sworn according to law, state that I am the LEGAL CLERK and agent of THE EXAMINER, a daily newspaper of general circulation in the County of Jackson, State of Missouri, where located; which newspaper has been admitted to the Post Office as a periodical class matter in the City of Independence, Missouri, the city of publication; which newspaper has been published regularly and consecutively for a period of three years and has a list of bona fide subscribers, voluntarily engaged as such who have paid or agreed to pay a stated price for a subscription for a definite period of time, and that such newspaper has complied with the provisions of Section 493.050, Revised Statutes of Missouri 2000, and Section 59.310, Revised Statutes of Missouri 2000. The affixed notice appeared in said newspaper in the following issues: December 31, 2014
Commencing on _____

and ending on December 31, 2014 _____, being the issues of:
December 31, 2014

being Volume 110 Numbers: 160

Signed

Kath M. Jones
Legal Clerk, Katherine M. Jones

Subscribed and sworn to before me on this 31st day of
December, 2014

Ramona Williams
Notary Public, Ramona Williams

My commission expires March 13, 2018

RAMONA WILLIAMS
Notary Public - Notary Seal
State of Missouri
Commissioned for Jackson County
My Commission Expires: March 13, 2018
Commission Number: 14592804

PUBLIC HEARING

The Jackson County Plan Commission will hold public hearings at 8:30 a.m. on Thursday, January 15, 2015 in Conference Room D, Ground Floor, City Hall, 111 East Maple, Independence, MO on the following requests:

1. **RZ-2015-512 - Gerald W. & Janet E. Syler.**
Requesting a change of zoning from District AG (Agricultural) on a 10.33 acre tract to District RE (Residential Estates). The 10.33 acres are located in Sections 18 & 19, Township 50, Range 30, Jackson County, Missouri aka 2125 N. Six Mile Church Road.

2. **RZ-2015-513 - Rogene E. Knudsen Trust.**
Requesting a change of zoning from District AG (Agricultural) on a 10.13 acre tract to District RE (Residential Estates). The 10.13 acres are located in Section 15, Township 49, Range 30, Jackson County, Missouri aka 30802 E. Pink Hill Road.

For further details, exact locations, and specific boundaries of these requests, contact Public Works Planning and Development Division at 881-4649, 303 W. Walnut, Independence, MO where the applications are accessible for inspection.

Persons with disabilities wishing to participate in the meeting and requiring a reasonable accommodation may call the Jackson County Public Works Planning and Development Division at 881-4649 or 1-800-735-2466 (Missouri Relay); 48 hour notice is required.

Jackson County Public Works
Planning & Zoning Division
Randy Diehl, Zoning Compliance Supervisor

December 31, 2014

Publishing Fee: _____

Received payment _____ per _____

Plan Commission January 16, 2015

Applicant/ Property Owner

22-900-03-00-0-00-000 Rogene Knudsen F - Trustee 30802 E. Pink Hill Road Grain Valley MO 64029

Certified Mail Return Receipt Property Owners within 185 feet

Parcel Number	Owner	Address	City	State	Zip
37-320-02-03-00-0-00-000	SMITH DAVID A & PATRICIA K	30911 E PINK HILL RD	GRAIN VALLEY	MO	64029
37-320-02-04-00-0-00-000	GRUBER THOMAS I & DELORES A TRUSTEES	30903 E PINK HILL RD	GRAIN VALLEY	MO	64029
37-320-02-05-00-0-00-000	LAWSON EDWARD L & FRANCES P	30805 E PINK HILL RD	GRAIN VALLEY	MO	64029
36-100-01-04-00-0-00-000	GREENE JOSEPH W-TRUSTEE	30701 E PINK HILL RD	GRAIN VALLEY	MO	64029
23-700-04-14-00-0-00-000	WILLIAMS BRADLEY A & JESSICA A	30708 E PINK HILL RD	GRAIN VALLEY	MO	64029
23-700-04-09-00-0-00-000	GRIFFITH DORIS A	30602 E PINK HILL RD	GRAIN VALLEY	MO	64029



Jackson County Zoning Map

Legend

185' Notification Area

Pending Rezoning

Residential Suburban

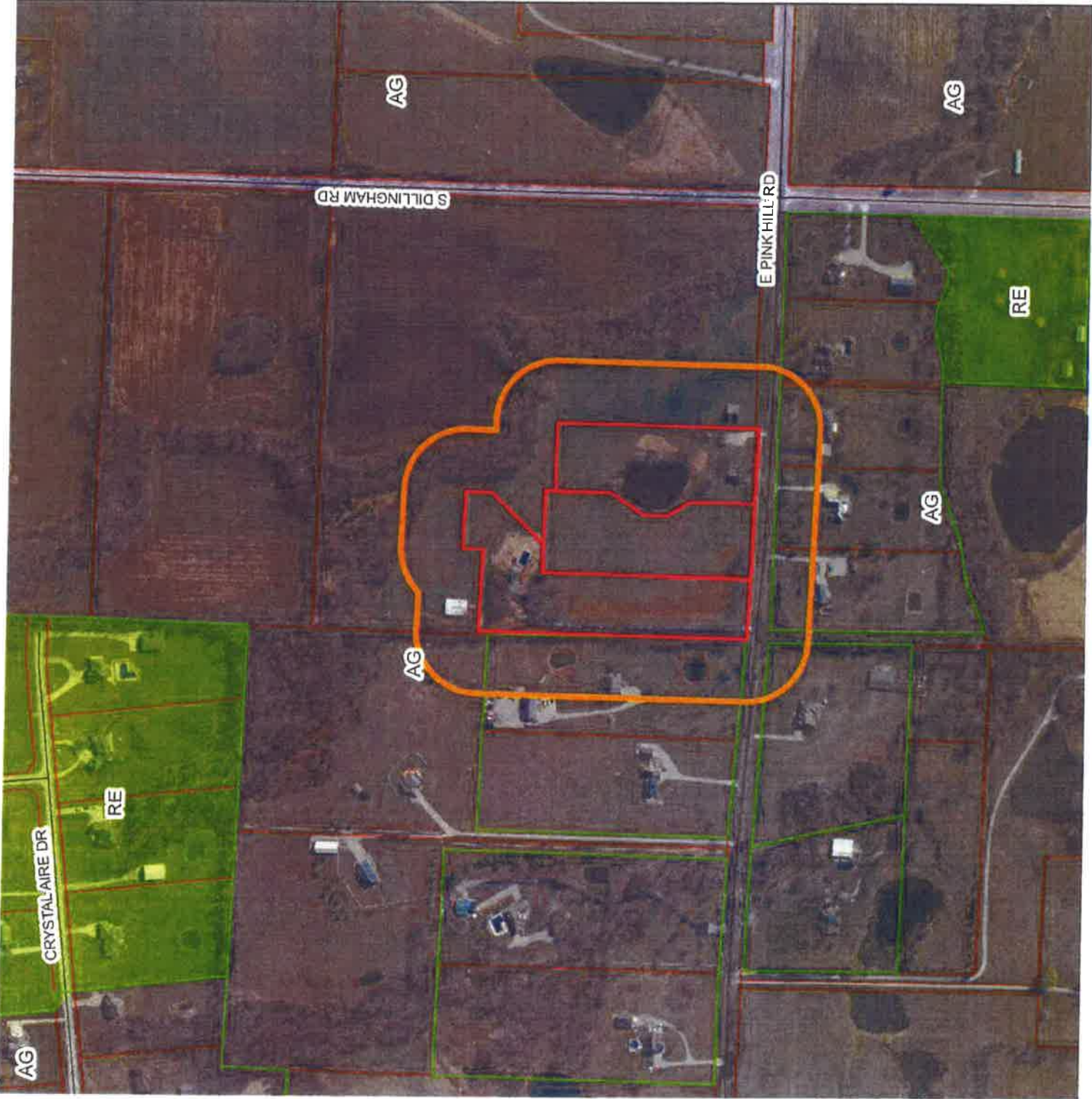
Streets

Tax Parcels

Rezoning

Zoning

- RR-Residential Ranchette
- RRp-Residential Ranchette-Plani
- RE-Residential Estates
- RS-Residential Suburban
- RU-Residential Urban
- A(r)-Single-Family
- B(r)-Two-Family
- C(r)-Multi-Family
- A1-Mobile Homes District
- ROp-Residential Office-Planned
- LB-Local Business
- LBp-Local Business-Planned
- GB-General Business
- GBp-General Business-Planned
- LI-Light Industrial
- LIp-Light Industrial-Planned
- HI-Heavy Industrial



EX. 5

RZ-2014-513

1 inch = 400 feet



Jackson County Zoning Map

- Legend**
- 185' Notification Area
 - Pending Rezoning**
 - Residential Suburban
 - Streets
 - Tax Parcels
 - Rezoning**
 - Zoning**
 - RR-Residential Ranchette
 - RRp-Residential Ranchette-Plar
 - RE-Residential Estates
 - RS-Residential Suburban
 - RU-Residential Urban
 - A(r)-Single-Family
 - B(r)-Two-Family
 - C(r)-Multi-Family
 - A1-Mobile Homes District
 - ROP-Residential Office-Planned
 - LB-Local Business
 - LBp-Local Business-Planned
 - GB-General Business
 - GBp-General Business-Planned
 - LI-Light Industrial
 - LIp-Light Industrial-Planned
 - HI-Heavy Industrial

EX. 5

RZ-2014-513

1 inch = 833 feet



**JACKSON COUNTY, MISSOURI
APPLICATION FOR CHANGE OF ZONING**

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Planning and Development Division, 303 W. Walnut, Independence, Missouri 64050 by the date on the Plan Commission Calendar.
 2. Application must be typed or printed in a legible manner.
 3. All applicable sections must be completed. If you need more space to provide information, please use separate 8 1/2"x11" paper, reference the application number and attach it to the application. Incomplete applications will not be accepted and will be returned to the applicant.
 4. Attach application for subdivision approval, consistent with the requirements of UDC Section 24003.10, as may be required.
 5. The filing fee (non-refundable) must accompany application.
(Check payable to: Manager of Finance)
\$350.00 – Change of Zoning to Residential
\$500.00 – Change of Zoning to Commercial or Industrial
-

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Rezoning Case Number RZ- 2015- 513

Date filed _____ Date of hearing _____

Date advertised _____ Date property owners notified _____

Date signs posted _____

Hearings: Heard by _____ Date _____ Decision _____

 Heard by _____ Date _____ Decision _____

 Heard by _____ Date _____ Decision _____

BEGIN APPLICATION HERE:

1. **Data on Applicant(s) and Owner(s):**
 - a. Applicant(s) Name: Rogene Knudsen
Address: P.O. Box 727
GRAIN Valley, MO. 64029
Phone: 816-229-1893
 - b. Owner(s) Name: Rogene Knudsen
Address: P.O. Box 727
Phone: GRAIN Valley, MO. 64029 816-229-1893
 - c. Agent(s) Name: _____

Address: _____

Phone: _____

- d. Applicant's interest in Property: OWNER
2. General location (Road Name) PINK HILL Rd & Dillingham Rd.
3. Present Zoning AG Requested Zoning RE
4. AREA (sq. ft. / acres) 449,103.6 SQFT / 10.13 Ac.
5. Legal Description of Property: (Write Below or Attached 9)
SEE ATTACHED
6. Present Use of Property: RESIDENTIAL
7. Proposed Use of Property: RESIDENTIAL
8. Proposed Time Schedule for Development: SPRING 2015
9. What effect will your proposed development have on the surrounding properties?
NONE
10. Is any portion of the property within the established flood plain as shown on the FEMA Flood Boundary Map? NO
If so, will any improvements be made to the property which will increase or decrease the elevation? _____
11. Describe the source/method which provides the following services, and what effect the development will have on same:
- a. Water Water District 16, Potential For 1 ADDED SERVICE LINE
- b. Sewage disposal ON-SITE, NONE
- c. Electricity KCP&L, Potential For 1 ADDED SERVICE LINE
- d. Fire and Police protection CENTRAL JACKSON, NONE
12. Describe existing road width and condition: 28' EDGE OF PAVEMENT

Asphalt is in Good SHAPE, NO Pot Holes

13. What effect will proposed development have on existing road and traffic conditions? NONE

14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? No

If so, describe giving dates of application and status (include permit numbers and copies of same, if issued):

Verification: I (We) hereby certify that all of the foregoing statements contained in any papers and/or plans submitted herewith are true to the best of my (our) knowledge and belief.

★ Signature _____ Date 12/9/14
Property Owner(s) Rogene F. Knudsen

Applicant(s): _____

Contract Purchaser(s): _____

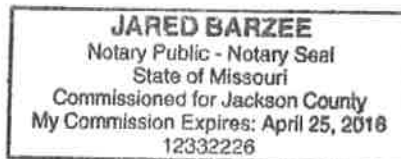
STATE OF Missouri
COUNTY OF Jackson

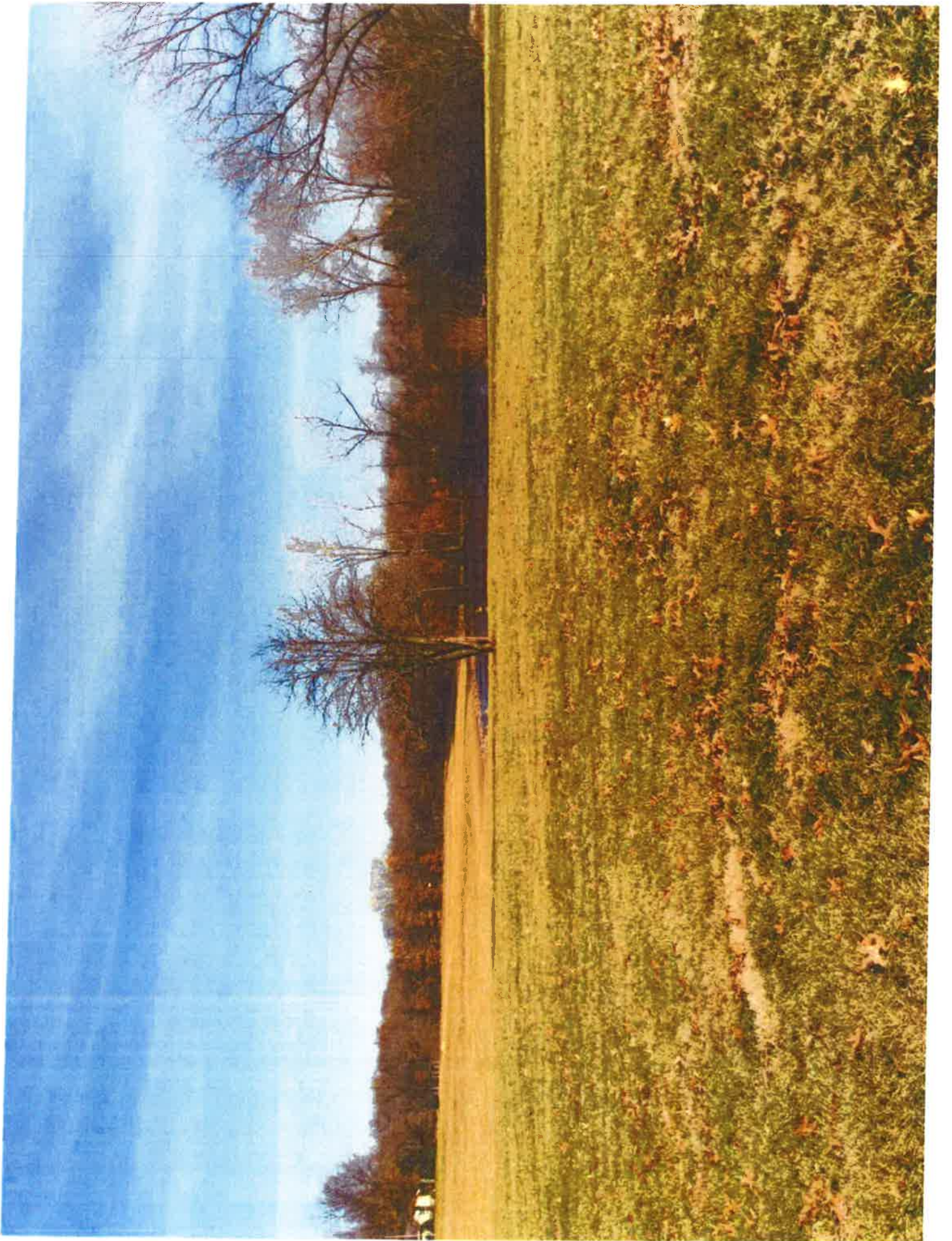
On this 9th day of December, in the year of 2014, before me the undersigned notary public, personally appeared Rogene F. Knudsen

known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public Jared Barzee Commission Expires 04-25-2016









IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE repealing Schedules I and IV to Chapter 2, Jackson County Code, 1984, relating to Jackson County employees not within the Merit System, and enacting, in lieu thereof, two new schedules relating to the same subject.

ORDINANCE NO. 4714, January 26, 2015

INTRODUCED BY Dennis Waits, County Legislator

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, as follows:

Section A. Enacting Clause. Schedules I and IV to Chapter 2, Jackson County, 1984, are hereby repealed, and two new schedules enacted in lieu thereof, to be known as Schedules I and IV, to read as follows:

SCHEDULE I

DIVISIONS

POSITION	RANGE
Division Chief (including Deputy)	\$87,800 - 144,754
<u>Executive Senior Advisor</u>	<u>\$70,000 - \$105,000</u>
Senior Advisor	[\$29,580] <u>55,000</u> - 75,000
Executive Assistant to Division Chief	\$29,580 - 50,000
Administrative Assistant to Division Chief	\$26,410 - 40,940
Department Director	[\$66,980] <u>75,000</u> - 110,520
Assistant to Department Director	[\$52,450] <u>65,000</u> - 86,550
Secretary to Department Director or Division Chief	\$26,410 - 40,940

SCHEDULE IV

PROSECUTING ATTORNEY

POSITION	SALARY
Executive Assistant to Prosecuting Attorney	\$29,580 – 54,000
Secretary to Prosecuting Attorney	\$26,410 - 40,940
Deputy Prosecuting Attorney	\$82,139 - 110,520
Chief	\$75,000 – 105,000
Trial Team Leader	\$61,131 – 102,519
Assistant Prosecuting Attorney	[\$40,414] <u>44,000</u> – 102,519
Chief Investigator	\$41,075 - 67,775
Investigator II	\$29,580 - 45,856
Investigator I	\$26,410 - 40,940
Director	\$75,000 - 110,520
Victim Services Director	\$41,075 - 67,775
Program Administrator	\$75,000 - 110,520
<u>Advisor to the Prosecuting Attorney</u>	<u>\$29,580 - \$54,000</u>

Effective Date: This Ordinance shall be effective immediately upon its passage by the County Executive.

APPROVED AS TO FORM:



Chief Deputy County Counselor



County Counselor

I hereby certify that the attached Ordinance, Ordinance No. 4714 introduced on January 26, 2015, was duly passed on _____, 2015 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

This Ordinance is hereby transmitted to the County Executive for his signature.

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 4714.

Date

Michael D. Sanders, County Executive

REQUEST FOR LEGISLATIVE ACTION

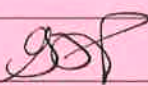
Completed by County Counselor's Office:

Res/Ord No.: 4714

Sponsor(s): Dennis Waits

Date: January 26, 2015

SUBJECT	<p>Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance</p> <p>Project/Title: <u>An ordinance repealing schedule IV to Chapter 2, Jackson County Code, 1984, relating to position titles and salaries ranges of County employees not within the merit system and enacting, in lieu thereof, one new schedule to the same subject and requesting to create a part-time Senior Advisor position.</u></p>																
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1" data-bbox="316 556 1201 1018"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number;</td> <td></td> </tr> <tr> <td>FROM</td> <td>FROM ACCT</td> </tr> <tr> <td>TO</td> <td>TO ACCT</td> </tr> <tr> <td>General Fund</td> <td></td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	\$	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number;		FROM	FROM ACCT	TO	TO ACCT	General Fund	
Amount authorized by this legislation this fiscal year:	\$																
Amount previously authorized this fiscal year:	\$																
Total amount authorized after this legislative action:	\$																
Amount budgeted for this item * (including transfers):	\$																
Source of funding (name of fund) and account code number;																	
FROM	FROM ACCT																
TO	TO ACCT																
General Fund																	
PRIOR LEGISLATION	<p>Prior ordinances and (date): Prior resolutions and (date):</p>																
CONTACT INFORMATION	<p>RLA drafted by (name, title, & phone): Gina Robinson, Chief of Operations, 881-3369</p>																
REQUEST SUMMARY	<p>The Jackson County Prosecutor's Office is requesting to create a part-time Senior Advisor position under Schedule IV of Chapter 2. The recommended change is as follows:</p> <p>Executive Assistant to Prosecuting Attorney \$29,580-54,000 Secretary to Prosecuting Attorney \$26,410-40,940 Deputy Prosecuting Attorney \$82,139-110,520 Chief \$75,000-\$105,000 Trial Team Leader \$61,131-102,519 Director \$75,000-110,520 Program Administrator \$75,000-110,520 Assistant Prosecuting Attorney \$40,414-102,519 [\$44,000-102,519]</p>																

	Chief Investigator \$41,075-67,775 Investigator II \$29,580-45,856 Investigator I \$26,410-40,940 <u>Advisor to the Prosecuting Attorney \$29,580-54,000</u>	
	These positions are budgeted and therefore the amendment to Chapter 2 does not have a budget impact as any salary in salaries will be funded by salary savings within the current budget.	
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS		
REVIEW	Department Director:	Date:
	Finance (Budget Approval): <i>If applicable</i>	Date:
	Division Manager: 	Date: 1-22-11
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.