



FRANK WHITE, JR.
Jackson County Executive

EXECUTIVE ORDER NO. 17-02

TO: MEMBERS OF THE LEGISLATURE
CLERK OF THE LEGISLATURE

FROM: FRANK WHITE, JR.
JACKSON COUNTY EXECUTIVE

DATE: JANUARY 23, 2017

RE: APPOINTMENTS AND REAPPOINTMENTS TO THE PENSION PLAN
BOARD OF TRUSTEES

Pursuant to section 1540., Jackson County Code I hereby make the following appointments and reappointments to the Pension Plan Board of Trustees:

Scott M. Brinkman is appointed as an active member of the Pension Plan Board of Trustees employed by the Circuit Court of Jackson County for a term to expire February 17, 2020. Mr. Brinkman's appointment is occasioned by the retirement of Jeff Eisenbeis. A copy of Mr. Brinkman's resume' is attached.

Beto Lopez is appointed as an independent business executive of the Pension Plan Board of Trustees for a term to expire February 17, 2021. Mr. Lopez's appointment is occasioned by the resignation of Jerry Mackey. A copy of Mr. Lopez's resume' is attached.

Dianne Kimzey is appointed as an active member of the Pension Plan Board of Trustees for a term to expire February 17, 2019. Ms. Kimzey's appointment is occasioned by the resignation of Amiee Wenson. A copy of Ms. Kimzey's resume' is attached.




Members of the Legislature
Clerk of the Legislature
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Gary Panethiere is reappointed as an active member of the Pension Plan Board of Trustees for a term to expire February 17, 2019.

Linda Steele is reappointed as an active member of the Pension Plan Board of Trustees within the Prosecuting Attorney's Office's bargaining unit for a term to expire February 17, 2019.

Dated: 1/20/17


Frank White, Jr., County Executive

SCOTT M. BRINKMAN

10424 Caenen Drive • Overland Park, Kansas • 66215
Tel: (913) 481-2614 • E-mail: scott.brinkman@gmail.com

EMPLOYMENT

Sixteenth Judicial Circuit Court of Jackson County, Kansas City, Missouri

Legal Counsel (July 2015 to present)

Provide legal advice and assistance on business and legal matters impacting the Court including employment matters, risk management, litigation, contract negotiation and enforcement and supervision of attorneys in the Court's Legal Department.

Brinkman Law Firm, P.A., Olathe, Kansas

Owner and Shareholder (July 2013 to July 2015)

Sole owner and shareholder of full service law firm offering legal services to both companies and individuals in litigation matters including criminal defense, complex commercial litigation, contract disputes, labor and employment, business torts, creditor's rights, constitutional and civil rights law, real estate, banking laws and regulations, administrative law, construction, bankruptcy, class actions, family law and appeals.

Baker Sterchi Cowden & Rice LLC, Kansas City, Missouri

Senior Counsel (March 2012 to April 2013)

Complex business litigation practice concentrating on areas of commercial litigation, products liability, banking and class action defense. Primary responsibility for all aspects of litigation.

Martin, Leigh, Laws & Fritzlen, P.C., Kansas City, Missouri

Senior Counsel (June 2010 to March 2012)

Complex business litigation practice concentrating in areas of commercial litigation, banking, real estate, construction, title insurance and personal injury. Primary responsibility for all aspects of litigation including first chair trial experience, direct and cross examination of witnesses at trial, taking and defending depositions, drafting motions and briefs and participating in arbitrations and mediations.

Lewis, Rice & Fingersh, L.C., Kansas City, Missouri

Partner (February 2002 to June 2010); Associate (April 2000 to February 2002)

Complex business litigation practice concentrating in areas of commercial, employment, banking, telecommunications, insurance, construction, real estate, bankruptcy and class action litigation. Primary responsibility for all aspects of litigation including first chair trial experience, direct and cross examination of witnesses at trial, taking and defending depositions, drafting motions and briefs at both the trial court and appellate court level and participating in arbitrations and mediations.

Rouse Hendricks German May PC, Kansas City, Missouri

Associate (August 1995 to April 2000)

Complex business litigation and white collar criminal defense practice. Primary responsibility for all aspects of litigation including first chair trial experience, direct and cross examination of witnesses at trial, taking and defending depositions, drafting motions and briefs at both the trial court and appellate court level and participating in arbitrations and mediations.

The Honorable John W. Lungstrum

The United States District Court for the District of Kansas

Law Clerk (October 1991 to August 1995)

Researched and drafted orders in civil and criminal cases covering all aspects of the litigation process including discovery disputes, pre-trial and post-trial motions and jury instructions.

Streich Lang PC, Phoenix, Arizona

Associate (Summer 1988; May 1989 to October 1991)

Managed a caseload of approximately 150 bankruptcy cases for major commercial lenders throughout Arizona. Drafted and litigated stay relief motions, negotiated with debtor's counsel and trustees regarding preservation and sale of collateral and conducted nondischargeability litigation. Represented banking institutions in connection with Chapter 11 bankruptcies involving real estate workouts.

LEGAL EXPERIENCE

Throughout my legal career I have helped businesses and individuals avoid, manage and resolve conflicts. I have broad professional experience spanning over twenty years representing both companies and individuals in litigation matters including criminal defense, complex commercial litigation, contract disputes, labor and employment, business torts, creditor's rights, constitutional and civil rights law, real estate, banking laws and regulations, administrative law, construction, bankruptcy, class actions, family law and appeals. I have regularly appeared in state and federal courts on behalf of my clients. I have substantial experience advocating for my clients in mediations, arbitrations, governmental hearings, and other formal proceedings.

I have acted as lead trial counsel or co-trial counsel in numerous contested proceedings, including jury trials and bench trials in federal and state courts in Missouri and Kansas, arbitrations, and administrative hearings. I have extensive experience in motion practice before state and federal courts, as well as expert and lay witness depositions and other pre-trial discovery. I have worked with experts in a variety of substantive fields, and have negotiated settlements in very complex civil matters. I have researched, studied and provided legal interpretations and recommendations for clients on a variety of legal issues. I have also assisted clients with negotiating and drafting contracts and company policies.

Criminal Defense

I have extensive experience handling criminal matters, including representing a vice president of a large Kansas City hospital charged with Medicare fraud and abuse related to a geriatric program, representing an individual charged with conspiracy and fraud in connection with negotiating leases with the federal government, and representing an individual charged with fraud and embezzlement of employee retirement accounts. I have also represented numerous clients who were charged with criminal wrongdoing in federal, state and city matters including domestic violence, assault and battery, drug possession, driving under the influence and criminal threats, among others. I am skilled in all areas of the criminal process, including arrests, arraignments, bail arrangements, motion practice, plea bargains, jury selection and trial, sentencing, probation and parole matters. Prior to my years in private practice, I served as a law clerk to The Honorable John W. Lungstrum

in the United States District Court for the District of Kansas. While clerking for Judge Lungstrum, I was involved in drafting orders and assisting with trials in numerous criminal cases.

Commercial Litigation

I have successfully handled hundreds of cases for clients involved in complex commercial disputes and business litigation. From counseling through trial and appeal, I provide comprehensive experience in complex business litigation matters. I am well versed in all aspects of commercial litigation, including first chair jury trial experience in both federal and state courts, drafting pre-trial and post-trial briefs and motions, case investigation and development, discovery, depositions, expert witness development and appellate work. I am also well versed in litigation alternatives, including mediation and arbitration, approaching each new case with flexibility and a dedication to innovative strategies.

General Business Litigation

I have represented clients in state and federal courts in Kansas and Missouri in all phases of business litigation and administrative practice, including pre-suit, trial and appeal. I have also provided representation during alternative dispute resolution sessions and agency hearings for my clients. I have defended and prosecuted claims arising from:

- Breach of Contract
- Commercial Fraud and Civil Theft
- Tortious Interference with a Business Relationship
- Unfair Competition and Non-Compete Agreements
- Partner/Shareholder Disputes and Dissolutions
- Creditor's Rights and Commercial Collections
- Banking Disputes
- Commercial Landlord/Tenant Disputes
- Deceptive and Unfair Trade Practice Claims

Labor and Employment Law

I have extensive experience in labor and employment law, including advising corporate clients as to how to deal with issues related to hiring, disciplining and firing employees. I have assisted clients in defending employment discrimination complaints filed with governmental agencies, and have served as trial counsel for corporate clients defending discrimination claims in trials in federal and state courts in Kansas and Missouri. My experience includes defending corporate clients against claims of discrimination based on ethnicity, age, race and sex. I have also defended corporate clients on retaliatory discharge claims, sexual harassment claims, failure to accommodate claims under the Americans with Disabilities Act, Family Medical Leave Act claims, Employee Retirement Income Security Act claims, and claims under 42 U.S.C. Section 1981. I have also represented corporate defendants and individuals in connection with employment contracts and non-competition agreements.

Business Torts

I have extensive experience litigating business torts for both plaintiffs and defendants in cases involving improper conduct in business transactions including fraud, interference with economic relationships, breach of fiduciary duties, unfair competition, contract interference, false advertising, misappropriation of funds and bad faith and unfair dealing.

Creditor's Rights

I have extensive experience representing banking institutions, credit unions, and other lenders in Kansas and Missouri in creditor's rights litigation, including:

- Garnishment actions
- Guaranty litigation
- Loan modifications and workouts
- Liens and lien foreclosure actions
- Commercial foreclosures
- Defense of lender liability
- Contract breaches
- Truth in lending defense
- Fraud and negligence defense
- Collection of defaulted accounts

Real Estate Litigation

During my legal career I have handled all manner of residential and commercial real estate litigation, including:

- Lawsuits between purchasers and sellers of real estate
- Contract disputes
- Title claims and issues of coverage on title insurance policies
- Landlord-tenant issues involving commercial and residential leases, evictions, damage to property and breach of contract
- Boundary disputes
- Easements
- Suits to quiet title
- Real estate fraud and nondisclosure
- Zoning issues

Administrative Law

I have defended clients on discrimination matters before the United States Equal Employment Opportunity Commission, the Kansas Human Rights Commission and the Missouri Commission on Human Rights. I have also defended clients in administrative proceedings under the Kansas Administrative Procedure Act instituted by the Administrator of the Kansas Department of Credit Unions. I have also represented clients in front of city commissions on zoning issues.

Bankruptcy

I have experience managing bankruptcy caseloads for major commercial lenders. In connection with those cases, I have drafted and litigated stay relief motions, negotiated with debtor's counsel and trustees regarding preservation and sale of collateral and conducted nondischargeability litigation. I have also represented banking institutions in connection with Chapter 11 bankruptcies involving real estate workouts.

Construction Law

My construction law experience includes representation of a number of corporate and individual clients in construction delay and defect cases. I was part of the legal team at Lewis, Rice & Fingersh that was hired by the Texas Attorney General's Office to assist it in representing Texas Tech University in connection with construction delays and defects that occurred during the construction of Texas Tech's United Spirit basketball arena. I have also represented the owners of a Kansas City hotel located on the Country Club Plaza who asserted claims against the general contractor for delays and defects in the construction of the hotel, and represented a painting subcontractor that asserted breach of contract and quantum meruit claims for work done on the Orange County Convention Center in Orlando, Florida. I have also filed and defended mechanic's lien cases in both Missouri and Kansas.

EDUCATION

University of Kansas School of Law, Lawrence, Kansas

J.D. awarded May, 1989

GPA 3.20/4.0 (Top 20% of class)

Rice Scholar

Kansas Law Review

Associate Editor 1988-89

Staff Member 1987-88

University of Kansas, Lawrence, Kansas

B.S. in Business awarded May, 1986

GPA 3.69/4.0; Graduated With Distinction

Summerfield Scholar

Phi Kappa Phi

Beta Theta Pi Fraternity

J. Beto Lopez
5724 NE Quartz Drive
Lee's Summit, MO 64064
(816) 309-5929
Email: Beto.lopez1@att.net

EXPERIENCE HIGHLIGHTS

June 2013
to present

VICE PRESIDENT, QFA - PRIVATE BANKING ADVISOR

Arvest Bank

- * Responsible for servicing & growing existing client portfolio
- * Responsible for developing new private banking and overall bank relationships.
- * Direct supervisor to private banker assistants
- * Directly assist clients with consumer, mortgage and commercial needs by providing TM, asset management, loans, and retails services.

Dec. 2011
to June 2013

VICE PRESIDENT, COMMERCIAL LENDING

Midwest Regional Bank

- * Responsible for opening loan production office in Kansas City market
- * Primary focus: to provide SBA 7a business loans to prospective bank clients.

Oct. 2004
To Dec. 2011

COMMERCIAL REAL ESTATE & BUSINESS CONSULTING

ARO Real Estate Co.

A full service commercial real estate company with a focus on retail center development. Services include commercial and business consulting services.

- * Consulting, planning & implementing property-business marketing plans
- * Site location consulting involving market studies and opinion of value reports
- * Investor-Partner in Prescott Plaza SC, Kansas City, Kansas
- * Investor-Partner Edgewater Crossing SC, Overland Park, Kansas

January 2004
To Oct. 2004

VICE PRESIDENT - BUSINESS LENDING

Bank of America

- As a client manager overall responsibilities included developing, growing, and maintaining a client portfolio.
- Provide full range of banking services to small business clients, including SBA loans.
- Key products and services include: real estate financing, lines of credit, treasury management and merchant services.

January 2000
To Jan. 2004

BUSINESS DEVELOPMENT OFFICER

US Bank - SBA Division

- Provide financing to qualified borrowers utilizing the SBA 7a & 504 loan programs.
- Primary focus is to provide commercial real estate financing; occasionally provided working capital and/or equipment financing.
- Developed and implemented new business marketing plans in an effort to identify qualified borrowers.
- General responsibilities included: maintaining and expanding existing business referral sources such as other commercial lenders, mortgage and real estate brokers; developing prospective direct end users (borrowers) through aggressive mailings and/or phone calls; generating new business through active participation in business and trade organizations such as local chapters of SIOR and CCIM and through active membership in organizations such as local chambers of commerce.

January 1997
to Jan. 2000

BROKER - ASSOCIATE

Cohen-Esrey Real Estate Services, Inc.- Commercial Real Estate Firm

- Responsible for sales and leasing of industrial, office, multi-family and corporate facility properties.
- Provided services to existing and prospective clients including:
 - Planning & implementing marketing plans
 - Site location consulting involving market studies and opinion of value reports
 - Property development consulting
- Named Rookie of the Year by senior level managers at Cohen-Esrey for outstanding progress and impressive sales record, 1998.

August 1994
to Jan. 1997

BUSINESS DEVELOPMENT SPECIALIST

Economic Development Corporation (EDC) of Kansas City, Missouri Responsible for marketing economic development incentive programs, including SBA loan programs, to prospective firms.

- Assisted CEO's and CFO's in analyzing investment models to determine expansion options.
- Consulted companies with regards to commercial real estate expansions.

EDUCATION

BAKER UNIVERSITY,

Overland Park, Kansas
Master of Business Administration: June, 1995

ROCKHURST UNIVERSITY,

Kansas City, Missouri
Bachelor of Arts
Majors: Global Studies and Spanish, June, 1991

UNIVERSIDAD VERACRUZANA, Jalapa, Veracruz, Mexico

Study abroad program - 1989

INVOLVEMENTS AND AFFILIATIONS

- United Way 2014 & 2015 Campaign – Cabinet member
- Board of Trustees Member - Donnelly College
- Planning Commission Member - City of Lee's Summit
- Executive Board Committee Member – Guadalupe Educations Systems
- Kansas City Brownfield's Commissioner - City of Kansas City, MO
- Manager - Coach: Kansas City Softball Academy, Girls Competitive Fast Pitch Softball.

HONORS - ACHIEVEMENTS

- Meadowbrook Plaza Shopping Center, CID Board member - Gladstone, MO
- Sunrise Farms CID Board member / Soccer Complex - Grandview, MO
- *Appointed commissioner, Jackson County Sports Complex Authority* – September, 2004 to July, 2012 Gubernatorial appointment. As Chairman (2010-2012), I had direct input in the drafting and implementation of the "Fair Share Agreement" prepared for the \$600 Million renovation of both Kauffman and Arrowhead Stadiums
- President Emeritus - Board of Directors, Guadalupe Centers. 2011-2013
- Board Member – Overland Bancorp, parent company of Bank of Belton. January 2006 to January 2012
- Licensed real estate broker in Missouri & Kansas. October, 1996 to present

REFERENCES CAN BE PROVIDED UPON REQUEST

Dianne Kimzey, CPA

**1607 Mannaseh St.
Oak Grove, Mo 64075**

PROFILE: I have dedicated my professional career to my current employer and have proven my leadership skills and abilities by accomplishing and succeeding tasks assigned. I am currently in a management position with Jackson County that is responsible for the overall operation of the Enterprise functions in the third largest county parks system in the United States, serving over 2 million visitors per year. My leadership is not only demonstrated at the Parks Department, but also with a recent temporary appointment as the Acting Director for the Jackson County Human Resources Department.

PROFESSIONAL EXPERIENCE:

JACKSON COUNTY, MISSOURI – 1992 to Present:

**415 E. 12th Street
Kansas City, MO 64106**

Deputy Director of Enterprise Operations Parks + Rec Department

2005 - Present

Responsible for the management of all Enterprise operations for Jackson County Parks + Rec including (3) Marinas, (3) Campgrounds, 27 hole championship Golf Course, Recreation Division, Historic Sites Division and Registration/Permit Division that generates a combined revenue of approximately \$5 million per year. Prepare and manage a budget of \$13,000,000 for the Department. Responsible for the initial set up of the reservation/registration/POS software for the Department as well as overseeing the daily operations and online reservations of the system.

Acting Director of Human Resources Human Resources Department

March 2014 – December 2014

Appointed by the Jackson County Executive to direct the Human Resources Department on an interim basis. The Human Resources Department interacts with a base of over 1,100 associates, assisting with personal benefits and taking actions where necessary regarding disciplinary issues involving associates.

Superintendent of Finance & Administration Parks + Rec Department

January 1998 - 2005

Responsible for all financial operations of the Department and the Registration Division. The duties of this position are still being performed as the current Deputy Director of Enterprise Operations.

Assistant to the Manager of Finance / Financial Analyst Finance Department

Nov. 1992 – January 1998

Directly responsible for managing the cash position for Jackson County, Mo and making any necessary investments to ensure funds are collateralized as well as expenditures are adequately funded. Projected revenues to support a budget of approximately \$300 million. Managed all federal and state grants for the county.

**Missouri State Auditor's Office
Jefferson City, MO**

June 1990 – November 1992

Audit Assistant

Performed audits for state and local governments. Documented, reviewed, evaluated and tested internal controls and related the results to substantive tests. Performed audit tests for compliance with Missouri State Statutes and Attorney General Opinions. Reconciled audit figures to book balances and prepared financial statements.

EDUCATION:

Master of Science – Accounting Information Systems
Bachelor of Business Administration – Accounting

University of Missouri - Kansas City
Pittsburg State University- Pittsburg, KS

PROFESSIONAL CERTIFICATIONS AND MEMBERSHIPS:

Certified Public Accountant – CPA
American Institute of Certified Public Accountants - AICPA
Missouri Society of Certified Public Accountants – MSCPA
Missouri Parks & Recreation Association - MPRA
National Parks & Recreation Association - NRPA