

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Executive to execute an Employment Agreement with Gail McCann Beatty to serve as the Director of Assessment for Jackson County.

RESOLUTION NO. 19914, July 9, 2018

INTRODUCED BY Scott Burnett, County Legislator

WHEREAS, by Executive Order No.18-17, the County Executive has appointed Gail McCann Beatty to serve as the County's Director of Assessment; and,

WHEREAS, in an effort to support professional management for Jackson County, the County Executive recommends an Employment Agreement for this top-level management position within the County; and,

WHEREAS, this Agreement outlines the basis for continued employment, termination, and severance, a practice that is recommended by the International City/County Management Association and promotes the separation of the professional management of the County from political offices; and,

WHEREAS, the execution of this Employment Agreement is in the best interests of the health, welfare, and safety of the citizens of Jackson 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 Employment

County Executive be and hereby is authorized to execute the attached Employment Agreement on behalf of the County; and

BE IT FURTHER RESOLVED that all County officials be and hereby are authorized to undertake all actions required by this Agreement.

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

APPROVED AS TO FORM:

[Signature]
Chief Deputy County Counselor

[Signature]
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 19914 of July 9, 2018 was duly passed on July 9, 2018 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9

Nays 0

Abstaining 0

Absent 0

7-9-18
Date

[Signature]
Mary Jo Spino, Clerk of Legislature

EMPLOYMENT AGREEMENT

This Agreement is entered into as of the _____ day of _____, 2018, by and between Jackson County, Missouri, herein after referred to as "the County," and Gail McCann Beatty, 6012 Woodland Avenue, Kansas City, Missouri 64110.

WITNESSETH:

WHEREAS, the County, through the County Executive, is desirous of engaging the services of Gail McCann Beatty to serve as the County's Director of Assessment; and,

WHEREAS, Gail McCann Beatty, is well-qualified for this position and is desirous of undertaking the professional duties of said position;

NOW THEREFORE, in consideration of the mutual covenants and agreements herein contained, it is agreed by and between the parties as follows:

I. Term.

The County hereby engages the services of Gail McCann Beatty to serve as its Director of Assessment, for a term commencing on or after July 9, 2018, and terminating on December 31, 2019. After the initial term, Gail McCann Beatty's employment may be renewed by mutual agreement of the parties, upon such terms as the parties may agree.

II. Employment.

For all purposes, County shall treat Gail McCann Beatty as an officer and employee of the County and shall pay the employer's share of social security contributions and make appropriate deductions from the biweekly payments required under paragraph III(A) hereof for federal, state, and local taxes, and any other applicable

taxes, fees, and assessments, as well as for any benefits which the County offers to its employees, in which Gail McCann Beatty elects to participate. Gail McCann Beatty's employment with the County shall be governed by Missouri law and the Jackson County Charter, Code, and Personnel Rules, unless otherwise specifically provided herein.

III. Compensation.

A. For the entire term of this Agreement, Gail McCann Beatty shall be paid for her services the base sum of \$108,000.00 annually, payable bi-weekly. In the event that the County grants a cost-of-living increase to all or nearly all of its employees, Gail McCann Beatty shall be entitled to receive that cost-of-living increase as well. In the event that the County creates a "merit pool" for employee merit salary increases, Gail McCann Beatty shall be entitled to receive a merit increase no greater than the average increase for employees within the pool, provided that any such increase must be justified by Gail McCann Beatty's employee evaluation. The County Executive shall have discretion to increase Gail McCann Beatty's salary in any other manner consistent with the County's personnel rules and procedures.

B. In lieu of submitting invoices for business use of her personal vehicle, Gail McCann Beatty shall receive an automobile allowance in the amount of \$600.00 per month.

C. Without regard to the length of Gail McCann Beatty's actual employment with the County, Gail McCann Beatty shall earn vacation leave authorized under the County's Personnel Rules at the rate of four weeks (20 days) per year. Gail McCann Beatty's accrual and use of vacation leave shall otherwise be governed by said

Personnel Rules.

D. The County shall provide Gail McCann Beatty a cellular telephone for business use. Alternatively, Gail McCann Beatty shall be entitled to an allowance of \$55.00 monthly for her business use of her personal cellular telephone.

IV. Duties.

Gail McCann Beatty shall perform all duties and exercise all responsibilities set out by the Missouri Constitution and Laws and Jackson County Charter, Code, and Personnel Rules for the office of the Director of Assessment. A copy of the current job description for this position is attached hereto as Exhibit A. In the event that the responsibilities of the position of Director of Assessment change due to County department reorganization, then the parties shall meet to discuss and negotiate whether or not Gail McCann Beatty's compensation should change.

V. Termination.

This Agreement may be terminated by either Gail McCann Beatty or County as follows:

A. Upon Gail McCann Beatty's termination of the Agreement through a written resignation, upon death of Gail McCann Beatty, or upon finding of a permanent disability of Gail McCann Beatty, no severance shall be due.

B. The County may terminate the Agreement without cause. In that event, the County shall pay Gail McCann Beatty a severance allowance equal to six (6) months' salary, payable within 15 days of the date of termination.

C. The County may terminate the Agreement for cause. If Gail McCann

Beatty is terminated for cause, the severance payment outlined in subparagraph B above shall not be paid to Gail McCann Beatty. "Cause" in this Agreement means:

- (i.) An intentional act of fraud, embezzlement, theft or any other material violation of law that occurs during or in the course of Gail McCann Beatty's employment with the County;
- (ii.) Intentional damage to County's assets;
- (iii.) Intentional disclosure of County's confidential information contrary to the County's policies;
- (iv.) Breach of Gail McCann Beatty's obligations under this Agreement;
- (v.) Intentional engagement in any competitive activity which would constitute a breach of Gail McCann Beatty's duty of loyalty or of Gail McCann Beatty's obligations under this Agreement;
- (vi.) Intentional breach of any of County's policies;
- (vii.) The willful and continued failure to substantially perform Gail McCann Beatty's duties for County (other than as a result of incapacity due to physical or mental illness); or
- (viii.) Willful conduct by Gail McCann Beatty that is demonstrably and materially injurious to the County, monetarily or otherwise.

For purposes of this paragraph, an act, or a failure to act shall not be deemed willful or intentional, as those terms are used herein, unless the act is done, or omitted to be done, by Gail McCann Beatty in bad faith or without a reasonable belief that Gail McCann Beatty's action or omission was in the best interest of County. Failure to meet performance standards or objectives, by itself, does not constitute "Cause." "Cause" also includes any of the above grounds for dismissal regardless of whether the County learns of it before or after terminating Gail McCann Beatty's employment.

D. In the event of termination of the Agreement, Gail McCann Beatty

shall be paid any compensation and benefits which would be due a County employee terminated under similar circumstances, pursuant to the Jackson County Personnel Rules.

VI. Construction.

This Agreement shall be construed under the laws of the State of Missouri.

VII. Severability, Waiver, and Modification.

The invalidity or inability to enforce any provision hereof shall in no way affect the validity or enforceability of any other provision. Failure to insist upon strict compliance with any terms, covenants or conditions of this Agreement shall not be deemed a waiver of such, nor shall any waiver or relinquishment of such right or power at any time be taken to be a waiver of any other breach of this Agreement. Further, any waiver, alteration, or modification of any of the provisions of this Agreement, or cancellation or replacement of this Agreement, shall not be valid unless in writing and signed by the parties.

VIII. Annual Appropriation.

Funds necessary to meet any and all financial obligations incurred by the County herein are subject to appropriation in the County's 2018 and 2019 annual budgets.

IX. Incorporation.

This Agreement incorporates the entire understanding of the parties.

JACKSON COUNTY, MO

GAIL MCCANN BEATTY

By _____
Frank White, Jr.
County Executive

Director of Assessment

APPROVED AS TO FORM:

ATTEST:

By _____
W. Stephen Nixon
County Counselor

Mary Jo Spino
Clerk of the Legislature

REVENUE CERTIFICATE

Funds sufficient for this expenditure in calendar year 2018 are included in the County's annual budget. Funds for calendar year 2019 are subject to appropriation in the County's 2019 annual budget.

Date

Chief Administrative Officer

JACKSON COUNTY JOB DESCRIPTION

TITLE: Director of Assessment PAY LEVEL: G99 CODE: 1902-02906-001
WORKING TITLE: Director of Assessment FLSA: EX DATE: 07/05/2018
DIVISION: Administration DEPARTMENT: Assessment
BARGAINING UNIT POSITION: No CIRCUMSTANCE: Review
LOCATION: Kansas City ADMINISTRATOR: Katherine Swing
SUPERVISES: Deputy Director of Assessment and Office Administrator

PERCENTAGE OF TIME

ACCOUNTABILITIES

45%	1. Administration of assessment functions.
35%	2. Organizational administration.
15%	3. Appraisal appeals.
5%	4. Department budget.

SCOPE:

The associate in this position is responsible for the direct supervision and oversight of the Assessment Department, in include the organizing, planning, and assignment of all work projects related to the biannual update of over 260, 000 real estate parcels and the annual assessment of 300,000 personal property accounts and 24, 000 business personal property accounts. Supervises Deputy Director of Assessment and Office Administrator, and oversees a staff of 68 with an annual budget of over \$4,500,000. This associate reports directly to the Chief Administrative Officer.

KNOWLEDGE AND SKILLS: (*Required prior to employment)

1. Knowledge of department policies and procedures.
- *2. Knowledge of modern management principles, practices and techniques such as motivating, delegating, planning, evaluating and organizing work.
- *3. Knowledge of all types of appraisal, assessment and mass appraisal procedures and techniques for developing and implementing into Jackson County Assessment Department.
- *4. Knowledge of real estate appraisal theories, principles, practices and techniques.
- *5. Knowledge of computer-assisted mass appraisal techniques (CAMA).
- *6. Knowledge and skill in presenting information before the Board of Equalization, State Tax Commission, or State and Federal Courts defending the County's valuation and Assessment policies.
- *7. Knowledge of Federal, state and local laws, statutes and ordinances governing property taxes.
- *8. Knowledge of philosophy and rationale for County and State Tax Equalization for apportionment and allocation of the tax burden.
- *9. Knowledge necessary to prepare biannual reassessment plans and carry out state mandated reassessments.
- *10. Knowledge of abatement types and procedures as they relate to the Assessment Department.
- *11. Knowledge of the principles and practices of statistics with particular reference to their application to financial and operational activities and property valuation.
- *12. Knowledge of County personnel rules and procedures for hiring, payroll, discipline and termination; knowledge of the rules and procedures of the Merit System Commission.

- *13. Knowledge of all current laws, procedures and computer applications relating to local property taxation.
- *14. Skill in coping with tax-related problems of elderly, disadvantaged, special interest groups, state and local legislators.

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KNOWLEDGE AND SKILLS: (Continued)

- *15. Skill in effective communication skills (verbal and written) for accurately conveying knowledge or instructions to, or requesting information from, others.

HUMAN RELATIONS:

1. As requested, presents taxation program to general public, organized neighborhood, civic, service and professional organizations, state and local governmental officials, business leaders of the community and corporate property tax representatives.
2. Solicits technical and economic information from persons involved in local real estate and business community.
3. Communicates with school boards and other taxing jurisdictions concerning the Assessment Department's final values.
4. Responds to personal, telephone, and written inquiries by providing information to the public on the methods and procedures used by Jackson County to assess all kinds of real and personal property. Provides information on appeal procedures to taxpayers wishing to formally appeal property assessments.
5. Discusses, in person and via telephone, with representatives of major commercial and industrial properties, the methods and procedures used to assess specific properties. Reviews requests for lower assessments and attempts to reach agreement concerning proper assessments.
6. Deals with State Tax Commission in order to comply with state tax laws; administers rules and fund reimbursement; presents County's position at State Tax Commission and Board of Equalization hearings; implements decisions of each administrative body.
7. Provides evidence and opinion to the County Board of Equalization and the State Tax Commission on County tax appraisals and on Commission policies and suggestions on personal and real property assessments; presents County's position on same and develops policies and procedures for implementing eventual decisions.
8. Apprises Chief Administrative Officer on progress of assessment matters.
9. Responds to inquiries from County Legislators, other public officials and members of the business community to answer questions and resolve problems within the position's authority; refers some problems to Chief Administrative Officer as appropriate.
10. Discusses problems with subordinate personnel as needed and at regularly scheduled intervals in order to implement policies, identify problems, develop solutions, and adjust minorities and resources.
11. Contacts other Department/Division heads for consultation of special projects, i.e., automated information systems, real estate records and legal issues.
12. Presents County evidence at Merit System Commission appeal hearings to justify actions taken against them.
13. In meetings with associates, advises and counsels on work-related problems; praises performance and adjusts associate behavior as necessary; conducts performance appraisals and awards pay increases on merit.
14. Attends national, state and regional conferences on assessment.

ILLUSTRATIVE TASKS: (This is not an inclusive list; other duties/tasks may be assigned)

1. Assigns, directs and reviews the work of subordinate personnel; establishes long-range schedules, priorities and deadlines for regular and special work assignments. Delegates to supervisory personnel the authority and responsibility for administering routine activities of the Section; answers questions and provides assistance when necessary. Provides authorizing signatures on business requiring it before going up to higher authorities (e.g. Board of Equalization, purchasing, payroll, State Tax Commission, legal certifications, etc.).
2. Implements Chief Administrative Officer's policies, ordinances and resolutions of the Legislature; and in consultation with Chief Administrative Officer develops policies and procedures, sets priorities, etc., to be implemented in the Assessment Department.
3. On own initiative, or at the request of the Chief Administrative Officer, develops guidelines and recommendations on special tax services such as abatements, exemptions, leasehold improvements, etc., for consideration by the Chief Administrative Officer, County Executive or County Legislature as appropriate.
4. Reviews appraisals of the larger and more complex properties of the County in order to provide additional technical expertise.
5. Meets with taxpayers, attorneys, and representatives to negotiate settlements of Board of Equalization and State Tax Commission Appeals.
6. Insures compliance with Federal, State and local government laws regarding personal and real property evaluation by using knowledge of all such laws in designing policies, procedures, training, staffing the organization, and obtaining sufficient resources.
7. Receives and reviews progress reports from subordinate personnel for purpose of identifying progress and problems; reviewing changes to priorities, policies, procedures, scheduling and staffing, makes recommendations as appropriate; implements changes.
8. Organizes department for improved efficiency by analyzing changing needs and reassigning tasks and responsibilities; major changes in policies, direction or resources are made with the approval of the Chief Administrative Officer and County Executive as appropriate.
9. Recommends legislation to the Chief Administrative Officer relating to tax assessment at local and State level; may testify at State or County Legislature.
10. Prepares contractual agreements by assisting in procurement of professional contracts for Assessment department; administers compliance with contracts.
11. Develops technical procedures and administrative policies for the Department.
12. In consultation and with the advice of the IT Department, assesses and makes recommendations regarding computer hardware, software and other automated systems.
13. Develops or assigns development to others, informational material to be circulated as intra-departmental publications to associates and/or supervisors concerning almost any technical and supervisory subject.
14. Develops policies and requirements for internal training program as needed; delegates and supervises development and implementation of same.
15. Performs a variety of personnel administration functions; interviews, selects, counsels, evaluates, recommends promotions, awards and status changes, schedules and approves leave, enforces rules for supervisory personnel. Reviews and approves same for all department associates.
16. Prepares departmental budget recommendations to the Chief Administrative Officer. This is an on-going process that involves evaluating current personnel – functions, effectiveness and efficiency; determines projected goals; analyzes goals and determines possible alternatives for achieving goals;

evaluating and ranking of goals and alternatives. Determines organizational manpower requirements based upon work projections and provides cost and budget analyses to Chief Administrative Officer for the annual budget.

17. Develops and implements procedures necessary to perform biannual reassessment.

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ENVIRONMENTAL DEMANDS:

Approximately 85% of the work is performed in a modern office setting. The remainder is spent in travel or in visiting various business and industrial locations. Travel is occasionally required during inclement weather.

MINIMUM QUALIFICATIONS:

Must have a Bachelor's of Science or Arts Degree. Must have at least ten years experience in real property appraisal. Must submit to/pass pre-employment background and drug screen. (Also refer to the asterisks (*) in the KNOWLEDGE AND SKILLS sections of this job description)

Review for accuracy:

Incumbent
Date _____

Appointing Authority
Date _____

JACKSON COUNTY JOB DESCRIPTION -- ADA/PHYSICAL DEMANDS FORM

JOB TITLE: Director of Assessment

PAY GRADE: G99

CODE: 1902-02906-001

DIVISION/DEPARTMENT: Administration/Assessment

DATE: 07/05/2018

PHYSICAL DEMANDS - Check demands that apply and describe what is required to perform the essential job functions. (This is not an inclusive list; other tasks/duties may be assigned)

- X **VISION** - Must be adequate for viewing and using computer terminal, and for reading letters, forms, documents, and computer printouts.
- X **HEARING** - Must be adequate for normal conversation with associates and telephone communication.
- X **SPEECH** - Must be able to speak and understand English clearly to provide detailed information by telephone and in person.
- X **STANDING** - 5 % of the time – Required occasionally.
- X **WALKING** - 10 % of the time – Required when reviewing work in area or going to other departments. Must be able to negotiate stairs to 1-m in Kansas City Courthouse.
- X **SITTING** - 85 % of the time – Required when reviewing department work products, correspondence, and other duties.
- X **LIFTING/CARRYING** - 20 lbs. - Required when lifting files, office supplies, and reports.
- X **PUSHING/PULLING** - 10 lbs. – Required when office supplies, and reports; and when opening and closing file cabinet drawers and doors.
- X **CLIMBING/BALANCING** – Required when negotiating stairs.
- X **STOOPING/KNEELING/CROUCHING/CRAWLING** – Required when retrieving or filing from lower drawers or when retrieving items, office supplies, etc., from the floor.
- X **REACHING/HANDLING** - Required on most tasks.

Reviews for accuracy:

Incumbent
Date _____

Immediate Supervisor
Date _____

Appointing Authority
Date _____