



Jackson County Missouri

JOURNAL

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

County Legislature

Office of
Mary Jo Spino
Clerk of the County Legislature

*Scott Burnett (1st) Chair, Alfred Jordan (2nd) Vice Chair,
Garry J. Baker (1st AL), Crystal Williams (2nd AL), Tony Miller (3rd AL),
Dennis Waits (3rd), Dan Tarwater III (4th), Greg Grounds (5th), Theresa Galvin
(6th)*

Monday, September 25, 2017

2:30 PM

Thirty-seventh Regular Meeting

Eastern Jackson County Courthouse, 308 W. Kansas, Independence, Missouri, Ground Floor, Legislative Chambers

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

1 ROLL CALL

Present 9 - Garry Baker, Crystal Williams, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa Galvin

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

A motion was made by Dan Tarwater III, seconded by Dennis Waits to approve the journal of the previous meeting held on September 18, 2017. The motion passed by a voice vote.

4 HEARINGS

The Jackson County Legislature will have a public hearing on Monday, September 25, 2017 at 2:30 P.M. during the legislative meeting scheduled to be held at the Eastern Jackson County Courthouse, located at 308 West Kansas, Independence, Missouri, Ground Floor, Legislative Chambers, regarding Ordinances #5020, #5021, #5022 and #5023, setting the 2017 property tax rates of Jackson County, Missouri, Jackson County Board of Services for the Developmentally Disabled, Jackson County Community Mental Health Fund and the Merchants and Manufacturers' Inventory Replacement.

Scott Burnett, Chairman, asked for an explanation on the proposed floor amendments for Ordinances #5020-#5022.

Ed Stoll, Acting Chief Administrative Officer/Director of Collections, explained that a table used in the calculation was changed in 2015 to provide more user friendly capabilities which changed the alignment of columns within the table. In 2017 for the July and September certifications the location of the column had an effect on the locally assessed railroad and utility figures for commercial real property because it was pulled from the incorrect column. It overstated significantly the amount of assessed values. It pulled the market value instead of the assessed value. Ed Stoll explained that in a reassessment year we send estimated aggregate assessed values in February, certification in July and another in September.

Crissy Wooderson, Legislative Auditor, verified that the amount revised totaled 154 million.

Scott Burnett, Chairman, opened the public hearing and asked if anyone was present to speak for or against the above mentioned ordinances.

Jake Jacobs, Executive Director of the Jackson County Board of Services for the Developmentally Disabled (EITAS), testified in favor of setting the 2017 Jackson County Board of Services for the Developmentally Disabled (Sheltered Workshop) Levy. He thanked the County Legislature for their continued support. They have been able to add 400 people this year as a result of the tax levy dollars.

Rory Rowland, parent and legislator in Jefferson City, spoke in favor of the levy because EITAS provides transportation for his 22 year old son to and from his job at the sheltered workshop. This is an important service for people with developmental disabilities because without it they could not get back and forth from work.

Dr. Bruce Eddy, Executive Director, for the Jackson County Community Mental Health Fund, testified in favor of setting the 2017 Jackson County Community Mental Health Fund Levy, since they serve over 16,000 Jackson County residents with a network of agencies.

Damon Daniel, Executive Director of the Ad Hoc Group Against Crime, spoke in favor of the mental health fund levy because the funds allow an opportunity for his agency to take a proactive approach in targeting neighborhoods plagued with mental health issues by providing healthy relationship classes and support groups at no cost to residents of Jackson County.

Discussion.

Since no one else was present to speak for or against the proposed tax levy rates, the public hearing was closed.

Jack Holland with Ameritas laid out various financing scenarios for short term funding of improvements to the existing jail and long term scenarios for funding a new jail. A copy for the Jackson County, Missouri Jail Funding Analysis has been filed in the Office of the County Clerk.

Discussion.

Scott Burnett, Chairman, asked Crissy Wooderson, Legislative Auditor, to attend the weekly Jail Capital Projects meetings.

Scott Burnett, Chairman, asked members of the County Legislature to review the report from HOK and make a list of questions so they could be presented to HOK for answers.

Jean Peters Baker, Jackson County Prosecutor, said she has concerns regarding the process for selecting the COMBAT Director. She stated that she carried the campaign for COMBAT's renewal and was concerned that neither she nor any member of the COMBAT Commission, the Sheriff, or the County Legislature were asked for input. She said she sent an email to the County Executive asking to be engaged in the selection process and was promised she would be part of the process. However, the meeting was cancelled and then the director of COMBAT was appointed.

Dennis Waits, County Legislator, said he agrees with the Prosecuting Attorney. He said he received a call stating that the forum and location were cancelled and never received a follow up call.

Dan Tarwater, County Legislator, said the Prosecutor works closely with COMBAT and it is disheartening that the invitation was extended then pulled back. He said this has nothing to do with the person but instead with the process.

Executive Order #17-15 was read by the Clerk of the County Legislature.

Crystal Williams, County Legislator, said she has the utmost respect for the person appointed and said she is extraordinary. However, she is pained by the process and continual lack of process in many areas of the county. She said COMBAT is something voted on by the public and we need to make sure the public has utmost confidence in this fund.

Theresa Galvin, County Legislator, said she is frustrated with the process and it is unfortunate that the person appointed is caught in the middle.

Scott Burnett said he had the same experience as other County Legislators with no follow up after the meeting was cancelled and then he heard a director was appointed.

Alfred Jordan, Vice Chairman, said he would like the COMBAT Commission and the County Legislature to weigh in on the final candidates for the position.

Frank White Jr., County Executive, said the Jackson County Charter states that the County Executive has the power to appoint the Director of COMBAT. The County Legislature has the right to approve or disapprove his appointments. He said he worked with Jaime Masters to include the COMBAT Commission members and the County Legislature. He felt it was wrong to put the applicants in front of the media in an open meeting. He said he worked with Jim Nunnally, James D. Tindall and Alfred Jordan to put together a powerpoint presentation regarding the importance of COMBAT. He feels he went far and above with the process. He said he has a viable person that can get the job done and she was well received at the COMBAT picnic held this past weekend. COMBAT is for the entire community not just a certain segment of the community. He hopes they will approve his appointment because he knows she will do a good job. He said he trying to do the right thing for the County and to give something back.

Scott Burnett, Chairman, said the County Legislature asked to be in the game and they were put on the sidelines.

Alfred Jordan, Vice Chairman, said he was told private citizens could be part of the process.

Frank White Jr., County Executive, said it was not suppose to be a public meeting. It was a meeting for members of the COMBAT Commission and County Legislature could attend and ask questions.

Discussion.

Dennis Waits, County Legislator, said all the County Legislators with the exception of Garry Baker voted to put Frank in this position and they want him to be successful. He said to exclude the Prosecuting Attorney from the selection process since she worked so hard for the COMBAT campaign and works closely with COMBAT is wrong.

County Executive Order #17-15 was disapproved at this time. See page 11 for details.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

None.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[5014](#) Justice and Law Enforcement Committee moved to perfect. Consent Agenda.

[5015](#) Justice and Law Enforcement Committee moved to perfect. Consent Agenda.

[5018](#) Justice and Law Enforcement Committee moved to perfect. Consent Agenda.

[5019](#) Inter-Governmental Affairs Committee moved to perfect. Consent Agenda.

[5020](#) A motion was made by Dan Tarwater III, seconded by Theresa Galvin, to approve the Floor Amendment for Ordinance #5020 dated September 25, 2017, to delete the levy "0.2548" and insert the levy "0.2586" after the word "General", to delete the levy "0.2178" and insert the levy "0.2210" after the word "Health", to delete the levy "0.1361" and insert the levy "0.1382" after the word "Park", to delete the levy "0.1921" and insert the levy "0.1949" after the words "Special Road and Bridge", to delete the levy "0.8008" and insert the levy "0.8127" after the word "TOTAL" all in the third paragraph on page one; to delete the levy "0.1312" and insert the levy "0.1331" after the word "General", to delete the levy "0.1388" and insert the levy "0.1409" after the word "Health", to delete the levy "0.0809" and insert the levy "0.0822" after the word "Park", to delete the levy "0.1268" and insert the levy "0.1287" after the words "Special Road and Bridge", to delete the levy "0.4777" and insert the levy "0.4849" after the word "TOTAL" all in the last paragraph on page three. The motion passed by a voice vote.

[5020](#) A motion was made by Dan Tarwater III, seconded by Crystal Williams, to perfect as amended Ordinance #5020. The motion passed by voice vote.

(PERFECTED)

[5020](#)

A motion was made by Dan Tarwater III, seconded by Crystal Williams, to adopt Ordinance #5020, setting the 2017 Jackson County, Missouri, tax levy. The motion passed by a roll call vote:

Yes: 9 - Garry Baker, Crystal Williams, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa Galvin

(ADOPTED)

[5021](#)

A motion was made by Dan Tarwater III, seconded by Dennis Waits, to approve the Floor Amendment for Ordinance #5021 dated September 25, 2017, to delete the word "two" and insert the word "thirteen" after the word "and", to delete the figure "7.02" and insert the figure "7.13" after the word "hundredths" in the last paragraph on page one. The motion passed by a voice vote.

[5021](#)

A motion was made by Dan Tarwater III, seconded by Dennis Waits, to perfect as amended Ordinance #5021. The motion passed by voice vote.

(PERFECTED)

[5021](#)

A motion was made by Dan Tarwater III, seconded by Dennis Waits, to adopt Ordinance #5021, setting the 2017 Jackson County Board of Services for the Developmentally Disabled (Sheltered Workshop) Levy. The motion passed by a roll call vote:

Yes: 9 - Garry Baker, Crystal Williams, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa Galvin

(ADOPTED)

[5022](#)

A motion was made by Dan Tarwater III, seconded by Dennis Waits, to approve the Floor Amendment for Ordinance #5022 dated September 25, 2017, to delete the word "forty-three" and insert the word "sixty" after the word "and", to delete the figure "11.43" and insert the figure "11.60" after the word "hundredths" in the last paragraph on page one. The motion passed by a voice vote.

[5022](#)

A motion was made by Dan Tarwater III, seconded by Theresa Galvin, to perfect as amended Ordinance #5022. The motion passed by voice vote.

(PERFECTED)

[5022](#)

A motion was made by Dan Tarwater III, seconded by Dennis Waits, to adopt Ordinance #5022, setting the 2017 Jackson County Community Mental Health Fund Levy. The motion passed by a roll call vote:

Yes: 9 - Garry Baker, Crystal Williams, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa Galvin

(ADOPTED)

[5023](#)

A motion was made by Dan Tarwater III, seconded by Dennis Waits to perfect Ordinance #5023. The motion passed by a voice vote.

(PERFECTED)

[5023](#)

Dan Tarwater III moved the passage of Ordinance #5023 as perfected, setting the 2017 merchants and manufacturers' inventory replacement tax levy. Seconded by Tony Miller.

Yes: 9 - Garry Baker, Crystal Williams, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa Galvin

(ADOPTED)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

[19580](#)

Land Use Committee moved to adopt. Consent Agenda.

[19581](#)

A RESOLUTION awarding a twenty-four month term and supply contract with three twelve-month options to extend for the furnishing of trash removal service for use County-wide to Waste Management, Inc., of Kansas City, KS, under the terms and conditions of Invitation to Bid 30-17.

(Finance and Audit Committee - 1st. Meeting)

[19583](#)

Justice and Law Enforcement Committee moved to adopt. Consent Agenda.

9 CONSENT AGENDA

[5014](#)

AN ORDINANCE appropriating \$12,025.00 from the undesignated fund balance of the 2017 Sheriff's Revolving Fund for the purchase of a video file server for use by the Sheriff's Office under the terms and conditions of Houston-Galveston Area Council of Governments Contract No EF04-17, an existing government contract.

(PERFECTED)

[5015](#) AN ORDINANCE appropriating \$35,472.00 from the undesignated fund balance of the 2017 Sheriff's Revolving Fund for the purchase of emergency equipment for use by the Sheriff's Office.

(PERFECTED)

[5018](#) AN ORDINANCE appropriating \$1,475.00 from the undesignated fund balance of the 2017 Special Road and Bridge Fund in acceptance of auction proceeds from the sale of surplus vehicles for use by the Sheriff's Office.

(PERFECTED)

[5019](#) AN ORDINANCE appropriating \$112,817.00 from the undesignated fund balance of the 2017 Grant Fund, in acceptance of the Emergency Management Performance Grant awarded by the Missouri State Emergency Management Agency.

(PERFECTED)

[19580](#) A RESOLUTION transferring \$65,209.00 within the 2017 Park Fund and awarding contracts for the furnishing of a tractor and mower to Deere & Company of Moline, IL, and a transit van to Dick Smith Ford of Raytown, MO, for use by the Parks + Rec Department, at an aggregate cost to the County not to exceed \$65,209.00, under the terms and conditions of State of Iowa Contract No. MA 17288 and Mid-America Council of Public Procurement (MACPP) Contract No. 2016-002, existing government contracts.

(ADOPTED)

[19583](#) A RESOLUTION awarding a twelve-month term and supply contract with two twelve-month options to extend for the furnishing of surplus liquidation and/or auction service and related services for use by the Sheriff's Office to Property Room.com, of Frederick, Maryland, under the terms and conditions of the National Joint Powers Alliance (NJPA) Contract No. 041316-PRC, an existing government contract.

(ADOPTED)

Ordinances #5014, #5015, #5018, and #5019 were moved to the Consent Agenda for perfection. Resolutions #19580 and #19583 were moved to the Consent Agenda for adoption.

A motion was made by Dan Tarwater III, seconded by Dennis Waits, to approve the Consent Agenda. The motion passed by a roll call vote:

Yes: 9 - Garry Baker, Crystal Williams, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa Galvin

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[5024](#)

A motion was made by Alfred Jordan, seconded by Dan Tarwater III to perfect Ordinance #5024. The motion passed by a voice vote.

(PERFECTED)

[5024](#)

A motion was made by Alfred Jordan, seconded by Dennis Waits, to adopt Ordinance #5024, appropriating \$4,500.00 from the undesignated fund balance of the 2017 Grant Fund in acceptance of the Sheriff's Office's DWI Unit Training grant awarded by the Missouri Department of Transportation, Traffic and Highway Safety Division, and authorizing the County Executive to execute a contract with the Missouri Highway Safety Division for the expenditure of grant funds. The motion passed by a roll call vote:

Yes: 9 - Garry Baker, Crystal Williams, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa Galvin

(ADOPTED)

[5025](#)

A motion was made by Alfred Jordan, seconded by Dan Tarwater III to perfect Ordinance #5025. The motion passed by a voice vote.

(PERFECTED)

[5025](#)

A motion was made by Alfred Jordan, seconded by Dennis Waits, to adopt Ordinance #5025, appropriating \$20,628.00 from the undesignated fund balance of the 2017 Grant Fund in acceptance of the Sheriff's Office's Impaired Driving Enforcement grant awarded by the Missouri Department of Transportation, Traffic and Highway Safety Division, and authorizing the County Executive to execute a contract with the Missouri Highway Safety Division for the expenditure of grant funds. The motion passed by a roll call vote:

Yes: 9 - Garry Baker, Crystal Williams, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa Galvin

(ADOPTED)

[5026](#)

A motion was made by Alfred Jordan, seconded by Dan Tarwater III to perfect Ordinance #5026. The motion passed by a voice vote.

(PERFECTED)

[5026](#)

A motion was made by Alfred Jordan, seconded by Dan Tarwater III, to adopt Ordinance #5026, appropriating \$10,314.00 from the undesignated fund balance of the 2017 Grant Fund in acceptance of the Sheriff's Office's DWI Saturation Patrol Enforcement grant awarded by the Missouri Department of Transportation, Traffic and Highway Safety Division, and authorizing the County Executive to execute a contract with the Missouri Highway Safety Division for the expenditure of grant funds. The motion passed by a roll call vote:

Yes: 9 - Garry Baker, Crystal Williams, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa Galvin

(ADOPTED)

[5027](#)

Transferring \$164,136.00 within the 2017 Special Road and Bridge Fund and appropriating \$368,672.00 from the undesignated fund balance of the 2017 Grant Fund in acceptance of the Jackson County Sheriff's Office's DWI/Traffic Safety Unit Salary Grant awarded by the Missouri Department of Transportation, Traffic and Highway Safety Division, and authorizing the County Executive to execute a contract with the Missouri Highway Safety Division for the expenditure of grant funds.

(Assigned to the Justice and Law Enforcement Committee.)

[5028](#)

Repealing Schedule VI to Chapter 2, Jackson County Code, 1984, relating to the salaries of County associates not within the Merit System, and enacting, in lieu thereof, one new schedule relating to the same subject.

(Assigned to the Justice and Law Enforcement Committee.)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[19586](#)

A motion was made by Alfred Jordan, seconded by Dan Tarwater III, to adopt Resolution #19586, authorizing the County Executive and the Jackson County Sheriff to execute a State Plan of Operations and Application for Participation related to the Missouri Department of Public Safety and the U.S. Department of Defense LESO Program, at no cost to the County. The motion passed by a roll call vote:

Yes: 9 - Garry Baker, Crystal Williams, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa Galvin

(ADOPTED)

[19587](#) Authorizing the County Executive and the Jackson County Sheriff to execute a Memorandum of Understanding with the Federal Bureau of Investigation Heart of America Corruption Task Force related to the investigation and prosecution of public corruption, at no cost to the County.

(Assigned to the Justice and Law Enforcement Committee.)

[19588](#) Authorizing the County Executive to execute a Cooperative Agreement with the Independence Police Department, for the furnishing of an anti-violent crime related program, at a cost to the County not to exceed \$55,000.00.

(Assigned to the Anti-Drug Committee.)

12 COUNTY EXECUTIVE ORDERS

[17-15](#) A motion was made by Dan Tarwater III, seconded by Dennis Waits, to disapprove Executive Order #17-15, appointing Teesha C. Miller as COMBAT Director. The motion passed by a roll call vote:

Yes: 9 - Garry Baker, Crystal Williams, Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Dan Tarwater III, Greg Grounds and Theresa Galvin

(APPROVED)

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

Dennis Waits, County Legislator, said it has come to his attention through conversations with the Legislative Auditor that we continue to have transfers of monies between accounts. The County Legislature passed legislation years ago that requires transfers over \$10,000.00 need to be approved by the County Legislature. There have been a number of transfers just under the threshold which appear to be in violation of the spirit of the ordinance. He said we need to continue to monitor and try to work with the Administration to fix this problem.

Dan Tarwater III, County Legislator, said it is his understanding that the Economic Development Department will be moved under the supervision of Ed Stoll and the Rail Corridor will be moved under the supervision of the Public Works Department. He asked the Administration to confirm this information at the legislative meeting scheduled to be held next week.

Scott Burnett, Chairman, thanked Crissy Wooderson, Legislative Auditor and Mary Jo Spino, Clerk of the County Legislature for all their help. He

pointed out that Crissy alerted the County Legislature of two jail appropriations passed by the County Legislature that had not been acted on; one was for kitchen repairs that was passed over 7 weeks ago and the other was for jail doors passed over a month ago.

Crissy Wooderson, Legislative Auditor said \$141,000 was appropriated for kitchen repairs was adopted on August 14, 2017 and 7 weeks later had not been processed. The appropriation for jail doors in the amount of \$537,000 was adopted on August 28, 2017 and as of Friday, September 15th purchase orders had not been cut and one quote had expired. She explained that after the County Legislature appropriates the monies the next step is to proceed with a purchase order.

Scott Burnett, Chairman, also thanked Barbara Casamento, Purchasing Supervisor, for her help with the purchasing process. He said the Legislative Auditor will continue to track open purchase requisitions.

15 **ADJOURNMENT**

A motion was made by Dan Tarwater III, seconded by Alfred Jordan, to adjourn the meeting. The motion passed by a voice vote.

Meeting adjourned until Monday, October 2, 2017 at 2:30 P.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.