



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

County Legislature

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

*Henry C. Rizzo (2nd AL), Chairman, Dan Tarwater (4th), Vice-Chairman,
Theresa Garza Ruiz (1st AL), Fred Arbanas (3rd AL), Scott Burnett (1st),
James D. Tindall (2nd), Dennis Waits (3rd), Greg Grounds (5th),
Bob Spence (6th)*

Monday, December 13, 2010

12:00 PM

Forty-Eighth Regular Meeting

K.C. Legislative Assembly Area, Kansas City, Missouri

Henry C. Rizzo, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present: Theresa Garza Ruiz, Henry C. Rizzo, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater and Greg Grounds
Absent: Fred Arbanas and Bob Spence

2 THE PLEDGE OF ALLEGIANCE

Recited.

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3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dan Tarwater moved to approve the journal of the previous meeting held on 12/6/2010.
Seconded by Dennis Waits.

The motion passed by a voice vote.

(APPROVED)

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4 HEARINGS

None.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

The October Employee of the Month Award was given to Michael Henderson, an employee in the Medical Examiner's office, Forensic Operations.

Scott Burnett, County Legislator, thanked Henry C. Rizzo for his friendship over the years. He said he appreciates everything that Henry has done to help him and looks forward to being friends for many more years.

Sherwood Smith, with International Association of Firefighters Local 42, made a presentation to Henry C. Rizzo in appreciation for his years of service on the County Legislature.

Fred Siems, Chief Administrative Officer, said they distributed the 2011 budget books to all legislators today. He said the budget is balanced and they have made monumental strides compared to four years ago.

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Henry C. Rizzo asked for a motion regarding the Consent Agenda.

James D. Tindall moved to place the Consent Agenda at the end of the legislative meeting. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

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[4274](#) Anti-Drug Committee moved to perfect.

Dan Tarwater objects to the Consent Agenda.

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[4274](#) Dan Tarwater moved to perfect Ordinance #4274. Seconded by Dennis Waits.

The motion passed by a voice vote.

(PERFECTED)

[4274](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4274. Seconded by Dennis Waits.

The motion passed by a voice vote.

(APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[4276](#) Anti-Drug Committee moved to perfect.

Dan Tarwater objects to the Consent Agenda.

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[4276](#) Dan Tarwater moved to perfect Ordinance #4276. Seconded by Dennis Waits.

The motion passed by a voice vote.

(PERFECTED)

[4276](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4276.
Seconded by Dennis Waits.

The motion passed by a voice vote.

(APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

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[4274](#) Consent Agenda.

[4276](#) Consent Agenda.

[4278](#) Consent Agenda.

[4279](#) Consent Agenda.

[4280](#) Consent Agenda.

[4281](#) Consent Agenda.

[4282](#) Consent Agenda.

[4283](#) Consent Agenda.

[4286](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

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[17431](#) Anti-Drug Committee moved do pass. Consent Agenda.

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[17433](#) Finance and Audit Committee moved do pass. Consent Agenda.

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[17434](#) Finance and Audit Committee moved do pass. Consent Agenda.

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[17437](#) Anti-Drug Committee moved do pass. Consent Agenda.

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[17440](#) Anti-Drug Committee moved do pass. Consent Agenda.

Greg Grounds moved to suspend the rules to allow newly introduced courtesy resolutions to be placed on the Consent Agenda. Seconded by Theresa Garza Ruiz.

The motion passed by a voice vote. (APPROVED)

Theresa Garza Ruiz moved to waive the reading of Resolutions #17443 - #17455.

Seconded by Greg Grounds.

The motion passed by a voice vote. (APPROVED)

Dennis Waits moved to place Resolutions #17443 - #17455 on the Consent Agenda for adoption. Seconded by Dan Tarwater.

The motion passed by a voice vote. (APPROVED)

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9 CONSENT AGENDA

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[4274](#) AN ORDINANCE transferring \$19,013.00 within and appropriating \$55,915.00 from the fund balance of the 2010 Anti-Drug Sales Tax Fund in acceptance of a grant received from the Missouri Department of Public Safety for the Prosecuting Attorney's Office's Victim Services Program.

(ADOPTED)

[4276](#) AN ORDINANCE transferring \$21,426.00 within and appropriating \$60,655.00 from the fund balance of the 2010 Anti-Drug Sales Tax Fund, in acceptance of the Project Safe Neighborhoods grant awarded by the Kansas City Metropolitan Crime Commission.

(ADOPTED)

[4278](#) AN ORDINANCE appropriating \$292,967.00 from the fund balance of the 2010 Grant Fund in acceptance of the Family Court Division's Juvenile Court Diversion Program grant received from the State of Missouri Division of Youth Services.

(ADOPTED)

[4279](#) AN ORDINANCE appropriating \$13,394.00 from the fund balance of the 2010 Grant Fund in acceptance of the Family Court Division's Parent Education Training Grant received from the Office of State Courts Administrator.

(ADOPTED)

[4280](#) AN ORDINANCE appropriating \$33,718.00 from the fund balance of the 2010 General Fund for use by the Circuit Court to cover special prosecutor's fees.

(ADOPTED)

- [4281](#) AN ORDINANCE transferring \$53,874.00 within the 2010 General Fund and transferring \$54,473.00 within and appropriating \$433,312.00 from the fund balance of the 2010 Anti-Drug Sales Tax Fund in acceptance of the Family Court Division's Family Drug Court Program grant received from the U.S. Department of Justice, Office of Justice Programs.
(ADOPTED)
- [4282](#) AN ORDINANCE appropriating \$2,873.00 from the fund balance of the 2010 General Fund for use by the Circuit Court to cover special prosecutor's fees.
(ADOPTED)
- [4283](#) AN ORDINANCE transferring \$53,499.00 within the 2010 General Fund, and appropriating \$267,496.00 from the fund balance of the 2010 Grant Fund in acceptance of the Family Court Division's Juvenile Court Diversion Mentoring Program grant received from the U.S. Department of Health and Human Services.
(ADOPTED)
- [4286](#) AN ORDINANCE appropriating \$4,500.00 from the fund balance of the 2010 Anti-Drug Sales Tax Fund and authorizing the County Executive to execute an agreement in acceptance of funding provided by the Organized Crime Drug Enforcement Task Force for use by the Jackson County Drug Task Force.
(ADOPTED)
- [17431](#) A RESOLUTION authorizing the County Executive to execute an agreement with The Storytellers, Inc., of Kansas City, MO, to provide weekly sessions to drug court participants for use by the Prosecuting Attorney's Office, at a cost to the County not to exceed \$22,000.00.
(ADOPTED)
- [17433](#) A RESOLUTION awarding a twenty-four month term and supply contract with three twelve-month options for extension for the furnishing of plumbing services for use by the Parks and Recreation Department to Rand Construction Co. of Kansas City, MO, under the terms and conditions of Invitation to Bid No. 38-10.
(ADOPTED)
- [17434](#) A RESOLUTION awarding a twelve (12) month term and supply contract with four (4) twelve (12) month options to extend for the furnishing of temporary personnel for use County-wide to Penmac Personnel Services of Lee's Summit, MO, under the terms and conditions of Request for Proposals No. EV1115.
(ADOPTED)
- [17437](#) A RESOLUTION authorizing the County Executive to execute an agreement with Cypress Research Associates of Kansas City, MO, to provide an evaluation of the Prosecuting Attorney's Office's Drug Court's Mental Health Toughness Group, at a cost to the County not to exceed \$5,000.00.
(ADOPTED)

- [17440](#) A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement with Jennifer Osborne of Kansas City, MO, for the Prosecuting Attorney's Office's Sentenced to the Arts program, at a cost to the County not to exceed \$15,600.00
(ADOPTED)
- [17443](#) A RESOLUTION congratulating Senator Jolie Justus on her re-election to and on being named Assistant Minority Floor Leader for the Missouri State Senate.
(ADOPTED)
- [17444](#) A RESOLUTION congratulating Will Kraus on his election to the Missouri State Senate.
(ADOPTED)
- [17461](#) A RESOLUTION transferring \$20,900.00 within the 2010 Special Road and Bridge Fund to cover the cost of vehicle maintenance for the Sheriff's Office.
- [17445](#) A RESOLUTION congratulating Ira Anders on his election to the Missouri General Assembly.
(ADOPTED)
- [17446](#) A RESOLUTION congratulating Mike Cierpiot on his election to the Missouri General Assembly.
(ADOPTED)
- [17447](#) A RESOLUTION congratulating Gary Cross on his election to the Missouri General Assembly.
(ADOPTED)
- [17448](#) A RESOLUTION congratulating Brent Lasater on his election to the Missouri General Assembly.
(ADOPTED)
- [17449](#) A RESOLUTION congratulating Gail McCann Beatty on her election to the Missouri General Assembly.
(ADOPTED)
- [17450](#) A RESOLUTION congratulating Jeanie Lauer on her election to the Missouri General Assembly.
(ADOPTED)
- [17451](#) A RESOLUTION congratulating Kevin McManus on his election to the Missouri General Assembly.
(ADOPTED)

- [17452](#) A RESOLUTION congratulating Jean Peters-Baker on her election to the Missouri General Assembly. (ADOPTED)
- [17453](#) A RESOLUTION congratulating Sheila Solon on her election to the Missouri General Assembly. (ADOPTED)
- [17454](#) A RESOLUTION congratulating Noel Torpey on his election to the Missouri General Assembly. (ADOPTED)
- [17455](#) A RESOLUTION congratulating Representative Mike Talboy on his re-election to and on being named Minority Leader for the Missouri House of Representatives. (ADOPTED)
- [17457](#) A RESOLUTION authorizing the Director of Finance and Purchasing on behalf of the County to accept the donation of three (3) buses from the Jackson County Board of Services for the Developmentally Disabled (EITAS) of Kansas City, MO, for use by the Parks and Recreation Department. (ADOPTED)
- [17458](#) A RESOLUTION transferring \$24,523.00 within the 2010 Anti-Drug Sales Tax Fund to cover the purchase of office furniture for the Prosecuting Attorney's Office. (ADOPTED)
- [17461](#) A RESOLUTION transferring \$20,900.00 within the 2010 Special Road and Bridge Fund to cover the cost of vehicle maintenance for the Sheriff's Office. (ADOPTED)
- [17463](#) A RESOLUTION transferring \$25,600.00 within the 2010 General Fund to cover the costs for out of state warrant transportation costs for the Sheriff's Office. (ADOPTED)
- [17464](#) A RESOLUTION rescinding Resolution 17408, dated November 8, 2010, and awarding a contract to Bobcat Company of West Fargo, ND, for the furnishing of an E80 compact excavator with accessories for use by the Public Works Department, under the terms and conditions of National Joint Powers Alliance Contract No. 100907, an existing government contract, at an actual cost to the County not to exceed \$77,573.00 (ADOPTED)

To adopt Ordinances 4274, 4276, 4278, 4279, 4280, 4281, 4282, 4283, 4286. To adopt Resolutions 17431, 17433, 17434, 17437, 17440, 17443, 17444, 17445, 17446, 17447

17448, 17449, 17450, 17451, 17452, 17453, 17454, 17455, 17457, 17458, 17461, 17463, 17464.

*Dan Tarwater moved the passage of the consent agenda. Seconded by Dennis Waits.
The motion passed by a roll call vote:*

Yes - 6 Henry C. Rizzo, Theresa Garza Ruiz, James D. Tindall, Dennis Waits, Dan Tarwater and Greg Grounds.

Absent: 3 - Fred Arbanas, Scott Burnett and Bob Spence

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

Dennis Waits moved to suspend the rules to allow any newly introduced legislation to be placed on the Consent Agenda. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

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[4278](#)

James D. Tindall moved to perfect Ordinance #4278. Seconded by Dennis Waits.

The motion passed by a voice vote.

(PERFECTED)

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[4278](#)

James D. Tindall moved to suspend the rules to consider final passage of Ordinance #4278, appropriating \$292,967.00 from the fund balance of the 2010 Grant Fund in acceptance of the Family Court Division's Juvenile Court Diversion Program grant received from the State of Missouri Division of Youth Services. Seconded by Dennis Waits.

The motion passed by a voice vote.

(APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[4279](#)

James D. Tindall moved to perfect Ordinance #4279. Seconded by Dennis Waits.

The motion passed by a voice vote.

(PERFECTED)

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[4279](#)

James D. Tindall moved to suspend the rules to consider final passage of Ordinance #4279, appropriating \$13,394.00 from the fund balance of the 2010 Grant Fund in acceptance of the Family Court Division's Parent Education Training Grant received from the Office of State Courts Administrator. Seconded by Dennis Waits.

The motion passed by a voice vote.

(APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[4280](#)

James D. Tindall moved to perfect Ordinance #4280. Seconded by Dennis Waits.

The motion passed by a voice vote.

(PERFECTED)

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[4280](#) James D. Tindall moved to suspend the rules to consider final passage of Ordinance #4280, appropriating \$33,718.00 from the fund balance of the 2010 General Fund for use by the Circuit Court to cover special prosecutor's fees. Seconded by Dennis Waits.

Consent Agenda. See Final Passage of Proposed Ordinances.

[4281](#) Dan Tarwater moved to perfect Ordinance #4281. Seconded by Dennis Waits.

The motion passed by a voice vote.

(PERFECTED)

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[4281](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4281, transferring \$53,874.00 within the 2010 General Fund and transferring \$54,473.00 within and appropriating \$433,312.00 from the fund balance of the 2010 Anti-Drug Sales Tax Fund in acceptance of the Family Court Division's Family Drug Court Program grant received from the U.S. Department of Justice, Office of Justice Programs. Seconded by Dennis Waits.

The motion passed by a voice vote.

(APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[4282](#) James D. Tindall moved to perfect Ordinance #4282. Seconded by Dennis Waits.

The motion passed by a voice vote.

(PERFECTED)

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[4282](#) James D. Tindall moved to suspend the rules to consider final passage of Ordinance #4282, appropriating \$2,873.00 from the fund balance of the 2010 General Fund for use by the Circuit Court to cover special prosecutor's fees. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[4283](#) James D. Tindall moved to perfect Ordinance #4283. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(PERFECTED)

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[4283](#) James D. Tindall moved to suspend the rules to consider final passage of Ordinance #4283, transferring \$53,499.00 within the 2010 General Fund, and appropriating \$267,496.00 from the fund balance of the 2010 Grant Fund in acceptance of the Family Court Division's Juvenile Court Diversion Mentoring Program grant received from the U.S. Department of Health and Human Services. Seconded by Dennis Waits.

The motion passed by a voice vote.

(APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[4284](#) Setting the 2011 Jackson County, Missouri tentative tax levy.

(Legislature As A Whole)

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[4285](#) To adopt the annual budget and set forth appropriations for the various spending agencies and the principal subdivisions thereof, for the fiscal year ending December 31, 2011.

(Legislature As A Whole)

No objection to the consideration of Ordinance #4286 - not on printed agenda.

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[4286](#) Dan Tarwater moved to perfect Ordinance #4286. Seconded by Dennis Waits.

The motion passed by a voice vote.

(PERFECTED)

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[4286](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4286, appropriating \$4,500.00 from the fund balance of the 2010 Anti-Drug Sales Tax Fund and authorizing the County Executive to execute an agreement in acceptance of funding provided by the Organized Crime Drug Enforcement Task Force for use by the Jackson County Drug Task Force. Seconded by James D. Tindall.

The motion passed by a voice vote.

(APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[17442](#) Dan Tarwater moved the passage of Resolution #17442, congratulating the Lee's Summit West High School football team upon winning the Missouri Class 5 State Championship. Seconded by Dennis Waits.

Yes: 6 - Theresa Garza Ruiz, Henry C. Rizzo, James D. Tindall, Dennis Waits, Dan Tarwater and Greg Grounds

Absent: 3 - Fred Arbanas, Scott Burnett and Bob Spence

(ADOPTED)

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[17443](#) Consent Agenda.

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[17444](#) Consent Agenda.

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[17445](#) Consent Agenda.

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[17446](#) Consent Agenda.

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[17447](#) Consent Agenda.

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[17448](#) Consent Agenda.

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[17454](#) Consent Agenda.

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[17455](#) Consent Agenda.

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[17456](#) Theresa Garza Ruiz moved the passage of Resolution #17456, authorizing payment of \$23,629.00 to the City of Sugar Creek from the Sugar Creek CURS account to cover the cost of improvements to the Lewis and Clark Expressway. Seconded by Dennis Waits.

Yes: 6 - Theresa Garza Ruiz, Henry C. Rizzo, James D. Tindall, Dennis Waits, Dan Tarwater and Greg Grounds

Absent: 3 - Fred Arbanas, Scott Burnett and Bob Spence

(ADOPTED)

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[17457](#) Consent Agenda.

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[17458](#) Consent Agenda.

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[17459](#) Dennis Waits moved the passage of Resolution #17459, transferring \$345,355.00 within the 2010 Park Enterprise Fund to cover the costs for outstanding legal expenses. Seconded by Greg Grounds.

Yes: 6 - Theresa Garza Ruiz, Henry C. Rizzo, James D. Tindall, Dennis Waits, Dan Tarwater and Greg Grounds

Absent: 3 - Fred Arbanas, Scott Burnett and Bob Spence

(ADOPTED)

Dan Tarwater moved to waive the reading of Resolution #17460. Seconded by James D. Tindall.

The motion passed by a voice vote.

(APPROVED)

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[17460](#) Authorizing the Jackson County Legislature to hold a closed meeting on Monday, December 13, 2010, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under section 610.021(1) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting.

(WITHDRAWN BY SPONSOR TARWATER. CONCURRED BY WAITS AND TINDALL.)

No objection to the consideration of Resolutions #17461 - #17464 - not on printed agenda.

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[17461](#) Consent Agenda.

[17462](#) Dennis Waits moved the passage of Resolution #17462, congratulating Maurene M. Bartlett on the celebration of her 100th birthday December 31, 2010. Seconded by Dan Tarwater.

Yes: 6 - Theresa Garza Ruiz, Henry C. Rizzo, James D. Tindall, Dennis Waits, Dan Tarwater and Greg Grounds

Absent: 3 - Fred Arbanas, Scott Burnett and Bob Spence

(ADOPTED)

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[17463](#) Consent Agenda.

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[17464](#) Consent Agenda.

A courtesy resolution was presented to Jeanie Lauer for her election to the Missouri General Assembly.

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12 COUNTY EXECUTIVE ORDERS

None.

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13 UNFINISHED BUSINESS

None.

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14 NEW BUSINESS

None.

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15 ADJOURNMENT

Dan Tarwater moved to adjourn the meeting. Seconded by Dennis Waits.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until TUESDAY, January 4, 2011 at 2:30 P.M. in the Kansas City Legislative Assembly Area.

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