



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

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

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Wednesday, January 7, 2009

11:00 AM

First Regular Meeting

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

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Dennis Waits, Chairman, called the meeting of the Jackson County Legislature to order.

#### 1 ROLL CALL

Present: Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds 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 12/12/2008.  
Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(APPROVED)

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#### 4 HEARINGS

None.

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#### 5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

None.

Resolution #16789 was adopted at this time. See page 5 for details.

Dennis Waits presented 10 year service pins to Scot Burnett and Bob Spence, County Legislators.

Dennis Waits opened the floor for nominations for Chairman of the County Legislature for 2009.

Dan Tarwater nominated Scott Burnett.

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Dan Tarwater moved that nominations cease. Seconded by Henry C. Rizzo.  
The motion passed by a voice vote. (APPROVED)

Dan Tarwater moved that Scott Burnett be elected Chairman of the County Legislature for 2009 by acclamation. Seconded by Henry C. Rizzo.  
The motion passed by a roll call vote.

Yes: 7 - Henry C. Rizzo, Fred Arbanas, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence.  
Abstaining: 1- Scott Burnett  
Absent: 1- Theresa Garza Ruiz

Scott Burnett assumed the Chair and opened the floor for nominations for Vice-Chairman of the County Legislature for 2009.

Dan Tarwater nominated Henry C. Rizzo for Vice-Chairman.

Dan Tarwater moved that nominations cease. Seconded by Dennis Waits.  
The motion passed by a voice vote. (APPROVED)

Dan Tarwater moved that Henry C. Rizzo be elected Vice Chairman of the County Legislature for 2009 by acclamation. Seconded by Dennis Waits.  
The motion passed by a voice vote. (APPROVED)

Plaques were presented to Chairman Waits and Vice-Chairman Tarwater for their service in 2008.

Scott Burnett, Chairman, welcomed the new Sheriff, Mike Sharp.

Dan Tarwater, County Legislator, welcomed the new/old Prosecuting Attorney, Jim Kanatzar.

## 6 PERFECTON OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

Fred Arbanas waived the reading of Ordinances #4071, #4072 and #4073. Seconded by Bob Spence.  
The motion passed by a voice vote. (APPROVED)

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### [4071](#)

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RR (Residential Ranchette) a certain 46.5 ± acre tract, and approving the preliminary plat "Country Oaks," creating an eight-lot residential subdivision.

(Land Use Committee - 2nd. Perfection)

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### [4072](#)

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RE (Residential Estates) a certain 5 ± acre tract.

(Land Use Committee - 2nd. Perfection)

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[4073](#) AN ORDINANCE granting a conditional use permit (CUP) in District A (Agricultural) for a period of five (5) years to operate a horse boarding stable, subject to specified conditions, as to a 40 ± acre tract .

*(Land Use Committee - 2nd. Perfection)*

*The Land Use Committee will have a public hearing regarding Ordinances #4071- #4073 on Thursday, January 8, 2009 at 1 P.M. at Fleming Hall.*

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## 7 FINAL PASSAGE OF PROPOSED ORDINANCES

*None.*

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## 8 RESOLUTIONS IN COMMITTEE

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[16779](#) Dennis Waits moved the passage of Resolution #16779, authorizing the County Executive to execute an agreement with the City of Kansas City, Missouri for animal control services at a cost to the County not to exceed \$103,205.04 in 2009. Seconded by Henry C. Rizzo.

Yes: 8 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence  
Absent: 1 - Theresa Garza Ruiz

(ADOPTED)

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## 9 CONSENT AGENDA

*None.*

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## 10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

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[4078](#) Dan Tarwater moved to perfect Ordinance #4078. Seconded by Henry C. Rizzo.

**The motion passed by a voice vote.**

(PERFECTED)

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[4078](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4078. Seconded by Henry C. Rizzo.

**The motion passed by a voice vote.**

(APPROVED)

[4078](#) Dan Tarwater moved the passage of Ordinance #4078 as perfected, appropriating \$47,103.00 from the fund balance of the 2009 Anti-Drug Sales Tax Fund to cover a grant received by the Sheriff's Office from the United States Executive Office of the President's Midwest High Intensity Drug Trafficking Area Investigative Support Center to be used to retain an intelligence analyst. Seconded by Dennis Waits.

Yes: 8 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence  
Absent: 1 - Theresa Garza Ruiz

(ADOPTED)

[4079](#) Dan Tarwater moved to perfect Ordinance #4079. Seconded by Bob Spence.

**The motion passed by a voice vote.** (PERFECTED)

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[4079](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #4079. Seconded by Bob Spence.

**The motion passed by a voice vote.** (APPROVED)

[4079](#) Dan Tarwater moved the passage of Ordinance #4079 as perfected, appropriating \$86,400.00 from the fund balance of the 2009 Grant Fund in acceptance of a grant awarded to the Family Court Division by the Missouri Department of Public Safety for the Reentry Aftercare Functional Family Therapy Project. Seconded by Bob Spence.

Yes: 8 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence  
Absent: 1 - Theresa Garza Ruiz

(ADOPTED)

[4080](#) Amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RR (Residential Ranchette) a certain 30.8 ± acre tract, and approving the preliminary plat "Bank Acres - 3rd Plat," creating a four-lot residential subdivision.

*(Land Use Committee)*

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[4081](#) Amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RR (Residential Ranchette) a certain 5 ± acre tract.

*(Land Use Committee)*

*The Land Use Committee will have a public hearing regarding Ordinances #4080 and #4081 at a later date.*

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## 11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

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[16786](#) Henry C. Rizzo moved the passage of Resolution #16786, authorizing the County Executive to execute a Cooperative Agreement for animal shelter services with Wayside Waifs, Inc., of Kansas City, MO, at an actual cost to the County not to exceed \$25,000.00. Seconded by Dan Tarwater.

Yes: 9 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

(ADOPTED)

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[16787](#) Dennis Waits moved the passage of Resolution #16787, re-appointing Gary Panethiere as Legislative Auditor for a term ending December 31, 2012. Seconded by Fred Arbanas.

Yes: 9 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

(ADOPTED)

*Comments.*

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[16788](#) Bob Spence moved the passage of Resolution #16788, authorizing the County Executive to execute an Intergovernmental Cooperative Agreement with the City of Kansas City, Missouri, for animal shelter services, at a cost to the County not to exceed \$2,800.00 in 2009. Seconded by Dennis Waits.

Yes: 9 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

(ADOPTED)

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[16789](#) Dan Tarwater moved the passage of Resolution #16789, celebrating the ninety-ninth birthday of Dorothy Trail. Seconded by James D. Tindall.

Yes: 8 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

Absent: 1 - Theresa Garza Ruiz

(ADOPTED)

*No objection to the consideration of Resolution #16790 - not on printed agenda.*

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[16790](#) Greg Grounds moved the passage of Resolution #16790, recognizing Charlene Davis for her service as the Director of Elections for the Jackson County Board of Election Commissioners and wishing her well on her retirement. Seconded by Henry C. Rizzo.

Yes: 9 - Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, Scott Burnett, James D. Tindall, Dennis Waits, Dan Tarwater, Greg Grounds and Bob Spence

(ADOPTED)

**12 COUNTY EXECUTIVE ORDERS**

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[09-01](#)

I hereby make the following reappointment to the Housing Resources Commission:

Anne McGregor is reappointed for a term to expire October 31, 2011.

**13 UNFINISHED BUSINESS**

None.

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**14 NEW BUSINESS**

Scott Burnett said 2009 committee assignments will be made by Friday, January 9.

Scott also reminded everyone that the next two legislative meetings will be held on Tuesday, January 13th at 2:30 P.M. in Independence since Monday is the inaugural in Jefferson City and Tuesday, January 20th at 2:30 P.M. in Kansas City since Monday is the Martin Luther King holiday.

Theresa Garza Ruiz, County Legislator, said she attended the opening of the 2010 census bureau today. She emphasized that it is important to participate in the census as it represents the amount of money Jackson County will receive from the federal level to continue to provide services.

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**15 ADJOURNMENT**

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

**The motion passed by a voice vote.**

(APPROVED)

*Meeting adjourned until TUESDAY, January 13, 2009 at 2:30 P.M. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.*

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