



Office of  
**Mary Jo Spino**  
Clerk of the County Legislature

# Jackson County Missouri

## JOURNAL

### County Legislature

*Theresa Cass Galvin (6th) Chair, Dan Tarwater III (4th) Vice Chair,  
Jalen Anderson (1st AL), Crystal Williams (2nd AL), Tony Miller (3rd AL),  
Scott Burnett (1st), Ronald E. Finley (2nd), Charlie Franklin (3rd),  
Jeanie Lauer (5th)*

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

**Monday, May 4, 2020**

**9:30 AM**

**Sixteenth Regular Meeting**

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

Theresa Cass Galvin, Chairman, called the meeting of the Jackson County Legislature to order.

**1 ROLL CALL**

Present 9 - Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass 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 Jalen Anderson to approve the journal of the previous meeting held on April 27, 2020. The motion passed by a voice vote.

**4 HEARINGS**

*Charlie Shields, President and CEO of Truman Medical Centers, gave an update on the response to the COVID-19 pandemic. Mr. Shields said that by the end of today TMC will have tested 4,000 residents for the COVID-19 virus. At present the hospital is testing people who are showing at least one symptom of the virus. They are seeing a 6 percent positive rate. Currently they do not have the ability to conduct the rapid point of care test. The hospital has had a total of 46 people hospitalized, four deaths and there are seven inpatients in the hospital today. The hospital is conducting mobile test sites and have set up a call center staffed by 20-25 nurses who have handled about 200 calls per day. Anyone may call 816-404-CARE with questions about the virus. The personal protective equipment (PPE) is still a challenge to obtain. The hospital has developed a protocol to sterilize the N95 masks so they can be used up to five times. All staff at the hospitals wear masks.*

*As to revenue, they have had a 65% reduction in elective and emergency*

*surgeries and office visits. The hospital was at 50% capacity but is up to 60% capacity now. Revenues have been a challenge and the executive staff, physicians, department directors, and exempt staff have all taken pay cuts between 5-20%. The supply chain is still not stabilized resulting in high costs to obtain PPE. The testing requirements for TMC have been an additional expense. CARES Act funds have been helpful. TMC has received direct support of \$13 million in lost revenue from the CARES Act but this money will not make up for all of the hospital's lost revenue. It is hoped that there is another allocation of federal funds for hospitals to assist with the lost revenue issue. TMC will be resuming its elective and emergency surgery schedule. Patients coming in for surgeries will be required to be tested and the hospital will continue to have a strict visitation policy.*

*Dan Tarwater III, County Legislator, asked if TMC has adequate ventilators to handle its needs. Mr. Shields said the hospital has 23 ventilators and can convert other equipment to use in an emergency. The hospital is not stretched on its ventilator capacity. He said the hospital typically has about 11 patients on ventilators, and the current situation aligns with those numbers.*

*Ronald E. Finley, County Legislator, asked how many people need to be tested in our area to determine if the County has the crisis under control. Mr. Shields said we need to ramp up testing, get the rapid point of care testing widely distributed, and to do public health care contact tracing. He believes antibody testing is still far off.*

*Bridgette Shaffer, Director of the Jackson County Health Department, said that their goal is to have 220,000 tests in the next three months. Presently she is not able to determine how many people in Jackson County have been tested because they do not have this data from the State of Missouri. Mr. Shields said the 500 tests conducted recently by the City of Kansas City Health Department were available to anyone regardless of symptoms so they could determine if we have people in our community that have the virus but do not have symptoms. But there is a limit to the value of testing asymptomatic patients.*

*Ms. Shaffer said that last week the Missouri Department of Health and Senior Services (DHSS) sent out 3,200 tests to local jurisdictions across the State of Missouri. These tests were for symptomatic and asymptomatic patients. This was part of the group of tests conducted by the City of Kansas City last week. The County decided to use its allocation of test kits to test symptomatic and asymptomatic first responders. Of those 165 tests,*

*119 came back negative and they are still waiting for results from 46 tests.*

*Mr. Finley asked about nursing homes which appear to be a source of hot spots across the country. Ms. Shaffer said there are two nursing home outbreaks in Eastern Jackson County, one in Blue Springs and one in Oak Grove. There are 19 cases in the Blue Springs nursing home, with three deaths and 15 cases in the Oak Grove nursing home with three deaths. The Department of Health provided these homes with an additional 75 tests to test residents and staff and they will provide more tests as needed.*

*Mr. Finley asked about testing at the County Department of Corrections. Ms. Shaffer said they had five positive tests at the jail but have not had an active case there since April 14. Troy Schulte, County Administrator, said the Administration had invited Corrections Officers to attend the first responder testing event, but many of them did not take advantage of that because it was held in Independence. As more test kits become available, they plan to increase testing at the Corrections facility.*

*Jalen Anderson, County Legislator, said that the death threats against first responders and health providers is unacceptable. He asked about a ratio between how many people might be infected by one positive person. Mr. Shields said there is a model available, but with social distancing the modeling is changed. He will get information regarding those models to Mr. Anderson. He asked about the plans in the event the virus cases increase. Mr. Shields said there are plans in place and they will continue to monitor the PPE supply. He believes there will be an increase in cases going into summer as the area opens up. In the fall with the increase in flu cases along with COVID cases, there may be an issue with capacity at the hospital. If that happens, they will take all actions necessary.*

*Tony Miller, County Legislator, asked about the pay cut that was imposed on employees at TMC. Mr. Shields said the executive staff, physicians, department chairs, leadership and exempt staff were impacted by the pay cut. The majority of nurses work on an hourly basis and most did not have a pay cut. They wanted to make sure that front line staff were held harmless. Mr. Miller expressed his desire to work toward reinstating cuts to salaries.*

*Mr. Finley asked about the contact tracing ordinance now under consideration by the Legislature. Mr. Shields said TMC and the County's Department of Health work to maintain consistent policies related to testing. Contact tracing is a standard practice by public health officials.*

*Charlie Franklin asked Mr. Schulte about the facility at 40 Highway. Mr. Schulte said there are no people waiting to move into the facility. That location should be ready to accept residents by May 6.*

*Theresa Cass Galvin asked about the daily statistic report that is released by the Health Department. Last week she had requested the addition of the number of recovered patients. Ms. Shaffer said they have run into problems with determining the number of recovered patients because some patients will relapse after it is believed they were recovered. She said they would begin to report the number of patients released from isolation. Ms. Galvin said the Communications Department updates the website regularly with the test sites for the coming week.*

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

*Frank White, Jr., County Executive, said the CORE 4 group met to discuss a coordinated date for reopening. Cass, Clay, and Platte counties are following the Missouri governor's recommendation to open May 3rd. The CORE-4 group desired to follow the local public health official's recommendation, which was the May 11th date.*

*Mr. Tarwater said he appreciated the effort to coordinate a response on a responsible date to reopen. He understands the need to be cautious, but yet people will try to get back out.*

*Mr. White said he believes that if businesses follow the recommended guidelines, we should not see a spike in cases. Mr. Tarwater said this will fall to personal responsibility and it is likely the public will call out businesses that fail to follow the guidelines.*

*Jeanie Lauer, County Legislator, said that people are confused by the different dates and phases that are floating around. She said that May 11th is Phase 1. She asked if the Stay at Home Order will still be in effect. Mr. White said the Stay at Home Order will end May 11th, but there will be guidelines that will go into effect. The Health Department is asking the public to complete its survey to determine how safe people feel about going out or going to businesses. But people are still encouraged to maintain a distance and use appropriate protocols to mitigate the spread of the virus.*

*Crystal Williams, County Legislator, expressed frustration with people that deny the validity of this pandemic. She hopes that people will continue to adhere to protocols since 25% of carriers of the virus are asymptomatic. Ms. Galvin asked how the administration will force businesses to abide by*

*the rules. Mr. White said enforcement will be by self-reporting of the community to force businesses to abide by these guidelines. Ms. Galvin also requested that the administration look at churches on an individual basis because some churches have a large capacity and should be treated differently than a small facility.*

*Mr. Anderson asked about how many other phases are planned and if there will be another Stay at Home Order if there is another dramatic increase in cases. Mr. White said the Health Department will be closely monitoring the cases, the availability of PPE, and any surge at the hospitals. He said there will be three phases. Mr. Anderson said that people's desire to go shop does not give them the right to put their fellow citizens at risk of the virus.*

*Mr. Finley asked how the Administration will enforce the regulations. Mr. Schulte said they have had good compliance from local businesses so far. Their practice has been to call violators, send a follow-up letter, and then make a personal visit. Nearly all businesses have been cooperative.*

*Mr. Tarwater asked if the City of Kansas City will follow the County's guidelines. Jay Haden, Chief Deputy County Counselor, said this could be a complicated answer, but in many cases it comes down to which cities have their own health departments. Discussion.*

*Mr. White introduced Maureen Monaghan, Deputy Director of Assessment. Ms. Monaghan said she has a history working with the State Tax Commission. At STC she worked on the Original Assessment and served as Chief Counsel. She worked to increase the transparency and efficiency within the STC. She wanted to come to Kansas City to be near her grandson.*

**6 PERFECTON OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE**

*None.*

**7 FINAL PASSAGE OF PROPOSED ORDINANCES**

*None.*

**8 RESOLUTIONS IN COMMITTEE**

Discussion regarding Resolution #20417. Brian Gaddie, Director of Public Works, said this proposed resolution will fund the third and final phase of the project for the renovation of the Courthouse after water damage from the flood in early 2019. Phase 2 was completed in November 2019. There were

funds leftover from that phase. Those funds will be utilizing some of those funds for this project. If there are additional costs from this project, that will come back before the Legislature.

[20417](#)

A motion was made by Dan Tarwater III, seconded by Tony Miller, to adopt Resolution #20417, transferring \$140,234.00 within the 2020 County Improvement Fund and authorizing the Director of Finance and Purchasing to execute an addendum to the contract with BNIM of Kansas City, MO, for Phase III of the architectural scope of services for the repair of the downtown Jackson County Courthouse, necessitated by water damage that occurred on February 3, 2019, at an actual cost to the County not to exceed \$140,234.00. The motion passed by a roll call vote:

Yes: 9 - Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

(ADOPTED)

[20418](#)

Budget Committee moved to adopt. Consent Agenda.

*(The Budget Committee Substitute for Resolution #20418 dated May 4, 2020 was recommended for adoption.)*

[20419](#)

Land Use Committee moved to adopt. Consent Agenda.

*(Resolution #20419 was recommended for adoption as corrected.)*

## 9 CONSENT AGENDA

[20418](#)

A RESOLUTION transferring \$142,420.00 within the 2020 Special Road & Bridge Fund and awarding contracts for the furnishing of new vehicles for use by the Sheriff's Office and Parks + Rec and Public Works Departments to Landmark Dodge of Independence, MO, Olathe Ford of Olathe, KS, and Roberts Chevrolet Buick of Platte City, MO under the terms and conditions of Clay County, Missouri Contract No. 49-19, a cooperatively bid contract for the Kansas City metro-wide area, at an actual cost to the County in the amount of \$730,230.00.

(ADOPTED)

[20419](#)

A RESOLUTION awarding contracts for the furnishing of four pontoon boats and one patrol boat for use by the Parks + Rec Department to PlayCraft Boats of Richland, MO, and Midwest Marine of Harrisonville, MO, under the terms and conditions of Invitation to Bid No. 8-20, at an actual cost to the County in the amount of \$132,055.00.

(ADOPTED)

*Resolutions #20418 and #20419 were moved to the Consent Agenda for adoption.*

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

Yes: 9 - Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

## 10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

*Theresa Cass Galvin reiterated that if a department director or representative would like to address the County Legislature on an agenda item they need to contact the sponsor prior to the legislative meeting.*

*Jeanie Lauer asked if the Administration makes a request to adopted an ordinance at the meeting it is introduced, that be indicated on the RLA.*

*Crystal Williams asked Jay Haden to speak to Ordinance #5330. He explained this ordinance would only apply to citizens on the quad payment plan. It would give a modest break to taxpayers, deferring their May payment to August. This ordinance needs to be adopted today to accomplish this break for taxpayers.*

[5330](#)

A motion was made by Crystal Williams, seconded by Dan Tarwater III to perfect Ordinance #5330. The motion passed by a voice vote.

(PERFECTED)

[5330](#)

A motion was made by Crystal Williams, seconded by Tony Miller, to adopt Ordinance #5330, appropriating \$7,553.00 from the undesignated fund balance of the 2020 Park Fund in acceptance of easement and processing fees from the City of Kansas City, Missouri, and authorizing the County Executive to execute a Permanent Sewer Acquisition Agreement and Permanent Sewer Easement in favor of the City of Kansas City. The motion passed by a roll call vote:

Yes: 9 - Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

(ADOPTED)

[5331](#)

A motion was made by Crystal Williams, seconded by Jalen Anderson to perfect Ordinance #5331. The motion passed by a voice vote.

(PERFECTED)

[5331](#)

A motion was made by Crystal Williams, seconded by Jalen Anderson, to adopt Ordinance #5331, deferring until August 31, 2020, all remaining payments due on 2019 residential real property taxes from eligible senior taxpayers pursuant to section 2060. of the Jackson County Code, to enable them to better cope with the financial issues caused by the ongoing Coronavirus/COVID-19 pandemic. The motion passed by a roll call vote:

Yes: 8 - Jalen Anderson, Crystal Williams, Tony Miller, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Cass Galvin

Absent: 1 - Scott Burnett

(ADOPTED)

*Theresa Cass Galvin asked Crissy Wooderson, Legislative Auditor, to speak to Ordinance #5332. Ms. Wooderson said there were a few issues with the ordinance and some inconsistencies with the amounts and encumbrances indicated. Ms. Galvin requested the Administration address these corrections. Mr. Haden said they would have a floor amendment prepared for next week.*

[5332](#)

Transferring \$184,777.00 within the 2020 General Fund and appropriating \$120,000.00 from the undesignated fund balance of the 2020 County Improvement Fund, to properly account for the receipt of insurance proceeds relating to the 2019 flood damage at the downtown Jackson County Courthouse.

*(Assigned to the Legislature As A Whole.)*

*Theresa Cass Galvin asked about some issues with Ordinance #5333. The fiscal note on this ordinance is reflecting an incorrect amount from a previous agenda. She questioned an allocation in the ordinance for the Corrections Department for electrical repairs and if this is an allowable expenditure.*

*Troy Schulte said he would look at these issues and get them rectified. He said the plan moving forward is to estimate the revenues to improve transparency and appropriate the funds as each program is authorized by the Legislature.*

[5333](#)

Establishing the "CARES Act Fund" as a separate special revenue fund of the County, transferring \$3,613,603.00 within the 2020 General Fund, \$4,900,000.00 within the 2020 Health Fund, and \$181,203.00 within the 2020 Anti-Crime Sales Tax Fund, and appropriating \$8,694,806.00 from the undesignated fund balance of the 2020 CARES Act Fund.

*(Assigned to the Legislature As A Whole.)*



*Crystal Williams said she had discussed this ordinance with Bridgette Shaffer. Theresa Cass Galvin said there are issues with the ordinance. She asked for clarification to the numbers in the backup. Mr. Schulte said the CARES Act requires that the money be encumbered on a contract by December 31, 2020, even though it may not be spent by December 31. Discussion regarding Ordinance #5334 and the necessary changes. Ms. Shaffer clarified that the 1,440 number reflects hours, but the 2,880 number reflects days.*

[5334](#)

Appropriating \$5,000,000.00 from the undesignated fund balance of the 2020 CARES Act Fund to allow the Jackson County Health Department to hire personnel, lease office space, and acquire equipment necessary for contact tracing and investigation in connection with the fight against the ongoing Coronavirus/COVID-19 pandemic.

*(Assigned to the Legislature As A Whole.)*

**11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE**[20421](#)

Authorizing the Director of Parks + Rec to execute a Memorandum of Understanding with Lee's Summit Underwater Recovery for rescue and recovery dives and other emergency and non-emergency services to be provided to Jackson County on an as-needed basis, at an actual cost to the County not to exceed \$20,000.00.

*(Assigned to the Land Use Committee.)*

*Theresa Cass Galvin asked the Chief Deputy County Counselor to correct the date on the RLA. Jay Haden said he would ask Brian Nowotney with the Parks + Rec Department to make the correction since he prepared the RLA.*

**12 COUNTY EXECUTIVE ORDERS**

*None.*

**13 UNFINISHED BUSINESS**

*None.*

**14 NEW BUSINESS**

Jalen Anderson suggested a conversation to begin an investigation into Jackson County's Finance Department. Theresa Cass Galvin said she will meet with Troy Schulte to discuss how to move forward on this issue.

Dan Tarwater III asked about the letter from the City of Kansas City Mayor

Lucas requesting money from Jackson County from the CARES Act. He said he understands that the City of St. Louis received monies from the State of Missouri and St. Louis County received monies from the federal government. He said he wants to help the City of Kansas City but was interested in the Administration's response to this request. Theresa Cass Galvin said her understanding is that the next round of federal funding is going to the cities.

Troy Schulte said the original direction from the federal government was that the money was allocated to the State of Missouri and the State would distribute the monies to the counties and cities. The State of Missouri distributed these funds to all of the Missouri counties. He said we operate under a different set of rules because our funds came directly from the federal government. He is proposing the cities of Kansas City, Blue Springs, and Independence and other local municipalities in the County, provide receipts for actual COVID-19 related expenses, then put an agreement in place so the County Legislature can approve and pay these expenses. Kansas City's request is for a straight allocation of funds. Such an allocation could cause an expenditure problem for Jackson County because the County is responsible for accounting for these funds. This relates directly as to why the County hired an outside auditor to monitor these monies. The majority of these funds are being spent for the benefit of the City of Kansas City. Mr. Schulte added that our current plan is the fairest and most transparent plan of action.

Ronald E. Finley said he would like a copy of the Administration's response to the request from Mayor Lucas. He forwarded the request to Bryan Covinsky, County Counselor, and asked him to review it.

## 15 ADJOURNMENT

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

*Meeting adjourned until Monday, May 11, 2020 at 10:00 A.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.*