



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

County Legislature

*Theresa 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, October 21, 2019

1:00 PM

Forty-first Regular Meeting

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

Theresa Galvin, Chair, 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 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 Scott Burnett to approve the journal of the previous meeting held on October 14, 2019. The motion passed by a voice vote.

4 HEARINGS

Gail McCann Beatty, Director of Assessment, presented an update on the Jackson County reassessment. She said that the Assessment Department has completed the informal review requests. The Department has mailed or emailed notices to everyone that submitted an informal request with the determination of the County's review.

Scott Burnett, County Legislator, asked about the next steps for a taxpayer that is not satisfied with their informal review. Ms. Beatty said that everyone has twenty-one days to file an appeal to the Board of Equalization. All formal appeals to the BOE will be heard by the Board.

Crystal Williams, County Legislator, said that some people are having problems understanding the stipulation forms that they received. She requested that the Assessment Department post instructions on interpreting the stipulation form on the County's website.

Jeanie Lauer, County Legislator, asked if tax bills will reflect the adjusted amount either from an informal review or a formal BOE appeal. Ms. Beatty said that depending on when the County receives official paperwork setting a value, the tax bill may reflect that correction. Ed Stoll, Chief Administrative Officer, said that the plan is to recalculate tax bills within 48 hours of an official adjustment and to send a revised bill to taxpayers. He said that the Collections Department will start mailing tax bills by November 11, 2019 and will have all bills sent out by Thanksgiving.

Tony Miller, County Legislator, questioned the difference between the process used for the informal reviews versus the BOE appeal process. He expressed concern about the connection between the Assessment Department and the BOE. Ms. Beatty said that the informal review was similar to the mass appraisal process, whereas the BOE appeal process is more detailed with the appraiser pulling comparable sales and taking a more in-depth look at a property. She said that any questions regarding tax bills, paying under protest, or issues involving penalties and interest should be directed to the Collections Department. Mr. Stoll said that the Collections Department will accept partial payments, but the balance will be subject to penalties and interest after January 1, 2020. Whitney Miller, Director of Collections, said that her office is compiling a list of frequently asked questions (FAQs) and will have those available to Legislators and on the County's website. She said the process for paying under protest is set by Missouri statutes but it will not be necessary for taxpayers to pay under protest in order to receive a refund if their tax bill is recalculated based on an appeal. Bryan Covinsky, County Counselor, said that pursuant to a Missouri Attorney General's opinion, the Collector cannot waive penalties and interest. He said the AG opinion is subject to interpretation but the fees may only be waived as part of a litigation matter.

Dan Tarwater III, County Legislator, said he had assisted a constituent in filing an informal review. He had researched sales comparables and hand delivered that research to the Assessment Department. His constituent received a response from the Assessment Department that said their review was denied because they had not submitted the required supporting documentation. He questioned the effectiveness of the Assessment Department's review process, given that he knows firsthand how at least one such informal review request was handled. He is concerned that other taxpayers in similar situations don't have the advantage of personally knowing a County Legislator. Ms. Beatty said that she would look into this situation.

Ronald E. Finley, County Legislator, requested additional information on

three areas that he believes need clarification: first, how to read the stipulation form used by Assessment, second the issue of paying under protest and when that is necessary, and third, more information on the County's ability to waive penalties and interest.

Theresa Galvin said that she is aware that many of the hearing officers reside outside of the Kansas City area and are not familiar with the neighborhoods here. She wants to make it clear that anyone filing an appeal before the BOE should bring documentation to support the value requested. No one should rely on the Assessment Department's sales comparables to support a taxpayer's proposed value.

Theresa Galvin introduced the County's financial advisor, Michael Short of Stifel, Nicolaus & Company Incorporated (formerly George K. Baum & Company). Mr. Short introduced his team, Matt Webster, Douglas Coe, and Jon Benson. He said another member of the team, Jack Holland, was not able to attend today's meeting. Mr. Short said that as our municipal advisor they are subject to a fiduciary duty that includes a duty of loyalty and a duty of care. He said that the fiduciary duty and duty of loyalty is owed to Jackson County as a whole, not to an individual elected official or staff person. He said that communications in their role as Municipal Financial Advisor will always be made with those duties in mind. Mr. Short said that the financial advisor's role is to determine the financing needs of the County, working with the Finance Department on financing plans and implementing best practices relating to our bond issues, credit rating, capital plans, and debt.

Mr. Short said that the current scope of work includes capital facilities planning as that applies to existing county buildings, a new county law enforcement facility/jail, and Truman Medical Center. Additionally, Mr. Webster handles the Truman Sports Complex financing which includes debt monitoring, monitoring lease agreements with the sports teams, and coordinating County and Jackson County Sports Complex Authority financing issues.

Crystal Williams asked about the recent acquisition of George K. Baum & Company by Stifel, Nicolaus & Company. Mr. Short said that they were pleased with this acquisition and that they will be expanding their local office on the Plaza. He said that he believes this acquisition will be good for Jackson County.

A copy of Mr. Short's presentation is available in the Clerk of the County Legislature's office.

5 COMMUNICATIONS WITH AND REPORTS OF THE COUNTY EXECUTIVE

None.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[5276](#) Health and Environment Committee moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

[20237](#) Authorizing the County Executive to execute an Intergovernmental Cooperative Agreement with the Jackson County Sports Complex Authority concerning the disposition of County-owned personal property located at the Harry S. Truman Sports Complex.

(WITHDRAWN BY SPONSOR SCOTT BURNETT. CONCURRED BY DAN TARWATER III AND CRYSTAL WILLIAMS.)

[20281](#) Budget Committee moved to adopt. Consent Agenda.

[20282](#) Health and Environment Committee moved to adopt. Consent Agenda.

[20283](#) Health and Environment Committee moved to adopt. Consent Agenda.

[20285](#) Finance and Audit Committee moved to adopt. Consent Agenda.

[20286](#) Land Use Committee moved to adopt. Consent Agenda.

9 CONSENT AGENDA

[5276](#) AN ORDINANCE appropriating \$1,200.00 from the undesignated fund balance of the 2019 Health Fund in acceptance of funds received from the Missouri Department of Health and Senior Services Summer Food Services Program.

(PERFECTED)

[20281](#) A RESOLUTION transferring \$56,000.00 within the 2019 General Fund for a reallocation of budgeted funds within the Sixteenth Judicial Circuit Court.

(ADOPTED)

[20282](#) A RESOLUTION transferring \$22,000.00 within the 2019 Health Fund to cover the purchase of a replacement vehicle for use by Health Services, under an existing term and supply contract.

(ADOPTED)

[20283](#) A RESOLUTION transferring \$15,000.00 within the 2019 Health Fund to cover the cost of boarding for three horses at the direction of Health Services.

(ADOPTED)

[20285](#) A RESOLUTION authorizing the County Executive to execute an Amendment to the audit contract with BKD, LLP, relating to Governmental Accounting Standards Board (GASB) Statement 75, Other Post-Employment Benefits, at an additional cost to the County for 2019 not to exceed \$4,200.00.

(ADOPTED)

[20286](#) A RESOLUTION transferring \$19,710.00 within the 2019 Park Enterprise Fund to cover the purchase of picnic tables for use by the Parks + Rec Department.

(ADOPTED)

*Ordinance #5276 was moved to the Consent Agenda for perfection.
Resolutions #20281, #20282, #20283, #20285, and #20286 were moved to the Consent Agenda for adoption.*

A motion was made by Dan Tarwater III, seconded by Crystal Williams, 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 Galvin

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[5277](#) A motion was made by Tony Miller, seconded by Jalen Anderson to perfect Ordinance #5277. The motion passed by a voice vote.

(PERFECTED)

[5277](#)

A motion was made by Tony Miller, seconded by Jalen Anderson, to adopt Ordinance #5277, amending sections 24002., 24004., and 24005., Jackson County Code, 1984, relating to land use and development. The motion passed by a roll call vote:

Yes: 8 - Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

No: 1 - Ronald E. Finley

(ADOPTED)

Michele Newman, Director of the Parks + Rec Department, explained Ordinance #5278. She said that the Parks + Rec Department received a grant from the Missouri Department of Natural Resources, Division of State Parks, Land and Water Conservation Fund, which required a local match of \$50,000.00. A cultural resource study was conducted on the site which is located at 140th and Holmes, an area impacted by recent flooding. The study found that this site contained significant amounts of cultural material which would require further testing before they could proceed. Therefore, the Parks + Rec Department determined that it was no longer financially feasible to move forward with this grant. This request is to return the local matching funds back into their budgeted accounts to use for the Department's needs.

[5278](#)

A motion was made by Crystal Williams, seconded by Ronald E. Finley to perfect Ordinance #5278. The motion passed by a voice vote.

(PERFECTED)

[5278](#)

A motion was made by Crystal Williams, seconded by Dan Tarwater III, to adopt Ordinance #5278, transferring \$50,000.00 within the 2019 Grant Fund and appropriating \$50,000.00 from the undesignated fund balance of the 2019 Park Enterprise Fund, to restore previously obligated matching grant funds relating to the supplemental grant from the Missouri Department of Natural Resources, Division of State Parks, Land and Water Conservation Fund. 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 Galvin

(ADOPTED)

[5279](#)

Transferring \$259,206.00 within the 2019 General Fund and appropriating \$564,412.00 from the undesignated fund balance of the 2019 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 Finance and Audit Committee.)

[5280](#)

A motion was made by Dan Tarwater III, seconded by Ronald E. Finley to perfect Ordinance #5280. The motion passed by a voice vote.

(PERFECTED)

[5280](#)

A motion was made by Dan Tarwater III, seconded by Tony Miller, to adopt Ordinance #5280, appropriating \$18,629.00 from the undesignated fund balance of the 2019 General Fund, representing payments of insurance proceeds to be used to fund repairs to and the restoration of the downtown Jackson County Courthouse and related costs, necessitated by recent water damage. 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 Galvin

(ADOPTED)

[5281](#)

A motion was made by Crystal Williams, seconded by Dan Tarwater III to perfect Ordinance #5281. The motion passed by a voice vote.

(PERFECTED)

[5281](#)

A motion was made by Dan Tarwater III, seconded by Crystal Williams, to adopt Ordinance #5281, appropriating \$54,452.00 from the undesignated fund balance of the 2019 Health Fund in acceptance of funds received from the Missouri Department of Health and Senior Services for the Opioid and Violent Death tracking program and Opioid Surveillance Toxicology testing, and the Missouri Department of Social Services for forensic autopsy services, to be applied to various expenses within the Medical Examiner's Office. 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 Galvin

(ADOPTED)

No objection to the consideration of Ordinance #5282 - not on printed agenda.

[5282](#)

Repealing section 210., Jackson County Code, 1984, relating to the meetings of the County Legislature, and enacting, in lieu thereof, one new section relating to the same subject.

(Assigned to the Rules Committee.)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[20289](#)

Awarding a contract for the furnishing of a metal shelter house for use by the Parks + Rec Department at Longview Beach to Athco of Lenexa, KS, under the terms and conditions of Invitation to Bid No. 45-19, at an actual cost to the County in the amount of \$39,590.00.

(Assigned to the Land Use Committee.)

12 COUNTY EXECUTIVE ORDERS

[19-27](#)

Pursuant to article VII, section 7 of the 2010 Jackson County Charter and section 1803.2 of the Jackson County Code, I hereby appoint James A. Witteman, Jr. as Jackson County Municipal Court Judge to fill an unexpired term, for a term to expire on December 31, 2020.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

Dr. Marius Tarau, Chief Medical Examiner, said the Jackson County Medical Examiner's Office Recognition and Full Accreditation will be given at the National Association of Medical Examiner's Conference, scheduled to be held at the Sheraton Crown Center Hotel on Tuesday, October 22, 2019 from noon until 2:00 p.m.

15 ADJOURNMENT

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

Meeting adjourned until Monday, October 28, 2019 at 1:00 P.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.