



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 11, 2020

10:00 AM

Seventeenth 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 May 04, 2020. The motion passed by a voice vote.

4 HEARINGS

None.

5 COMMUNICATIONS WITH AND REPORTS OF THE COUNTY EXECUTIVE

The County Executive was not present at the meeting.

Theresa Cass Galvin, Chairman, said she and other legislators were inundated with phone calls, emails, and social media messages from Jackson County residents upset that Phase I of the reopen plan did not include provisions for churches and gyms to reopen, even if they had put a solid protocol in place to reduce the spread of COVID-19. She said, in her opinion, the churches and gyms should be treated like other businesses and public establishments that are allowed to reopen by adopting social distancing and protective measures. She said the response she received when she asked why churches were not allowed to reopen was that churches can meet through video conferencing. Ms. Galvin said she did not believe this is any different from being able to get a glass of wine in her

kitchen, but yet bars are being allowed to reopen.

Scott Burnett, County Legislator, joined the meeting via Skype at this time.

Dan Tarwater III, County Legislator, said as he discussed last week, social media will police any establishment that fails to abide by the County's reopen guidelines.

Crystal Williams, County Legislator, said she understands the concerns from local businesses and churches and sympathizes with these concerns. However, some people think the County is premature in reopening and believes we are moving to reopen too soon.

Jeanie Lauer, County Legislator, said several gym owners had reached out to her. They are following the same protocol that is required of businesses that are being allowed to open and they should be allowed to open as long as they follow the established guidelines.

Crystal Williams said she thinks it is the Legislature's responsibility to weigh the risk of reopening against people's health needs.

Theresa Cass Galvin said if the business owners can follow the protocol, they should be able to open.

Troy Schulte, County Administrator, said the Administration plans to modify their order soon to allow churches to reopen at 10% of capacity. They will also look at gyms as they reevaluate the reopen order.

Ronald E. Finley, County Legislator, said he is concerned about having a consistent message. He is concerned about the public and about the businesses need to reopen. He said he saw a large group gathered on Saturday, most with people not wearing masks. He sees a need to communicate the seriousness of what is going on with the pandemic. He is concerned about more people getting sick and dying. The County needs to get the message to the public and we need commitment from business owners and the public that they will take this health risk seriously.

Jalen Anderson, County Legislator, said this is a difficult time for people struggling with depression and anxiety. They need reassurance from their churches, however, many people coming together, particularly the elderly and people with health conditions could cause the public health risk to escalate quickly. He has lost 18 friends from across the country since this pandemic started.

Jeanie Lauer requested that the Administration give a firm time for a response about updating the order for gyms and churches. Mr. Schulte said he hopes to address the issues with gyms and to give a consistent update to clarify their policy. The Administration has concerns about sending out numerous revisions to the reopen plan, which could create additional confusion. They hope to have an answer by the end of the week.

Bridgette Shaffer, Director of the Jackson County Health Department, said she urges caution as we move forward. These guidelines are the recommended best practices from Johns Hopkins University Hospital. These business restrictions are because some establishments are seen as centers for easy transmission of the virus.

Crystal Williams said she supports a decision that is made on a public health basis.

Theresa Cass Galvin said there are other counties close by that have no rules in place. People will go to other areas for services if they are not available in Jackson County. We risk them then bringing the virus back to the County. Ms. Galvin said she had two questions from constituents: First does our Health Department have a medical doctor on staff? Ms. Shaffer said they do. Second, why did the survey issued by the Health Department ask for addresses? Mr. Schulte said that was to aid with reports as to which Legislative districts responded to the survey.

Ronald E. Finley requested consistent reports for each established category including where the outbreaks are located in the County. Last week it was reported that we did not have numbers from the State of Missouri.

Bridgette Shaffer said they have received an update from the state since last week. She said there have been 5,398 tests in Eastern Jackson County with a positive test rate of 7.06%. These figures do not include the City of Kansas City.

Ronald E. Finley said he wants more information about testing at the County Department of Corrections and hotspots within nursing homes. He would also like an update on the County's response to Kansas City Mayor Quinton Lucas's request for CARES Act funds. Mr. Schulte gave his assurance that the response to Mayor Lucas and their correspondence with mayors in Eastern Jackson County will be reported to the Legislature.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE[5332](#)

A motion was made by Dan Tarwater III, seconded by Jalen Anderson, to approve the substitute for Ordinance #5332. The motion passed by a voice vote.

(APPROVED)

[5332](#)

A motion was made by Dan Tarwater III, seconded by Jalen Anderson, to perfect the Floor Substitute for Ordinance #5332 dated May 11, 2020. The motion passed by voice vote.

(PERFECTED)

[5332](#)

A motion was made by Dan Tarwater III, seconded by Jalen Anderson, to adopt the Floor Substitute for Ordinance #5332 dated May 11, 2020, transferring \$234,850.00 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. 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)

Theresa Cass Galvin commented on Ordinance #5333.

[5333](#)

A motion was made by Dan Tarwater III, seconded by Jalen Anderson, to approve the substitute for Ordinance #5333. The motion passed by voice vote.

(APPROVED)

[5333](#)

A motion was made by Dan Tarwater III, seconded by Jalen Anderson, to perfect the Floor Substitute for Ordinance #5333 dated May 11, 2020. The motion passed by voice vote.

(PERFECTED)

[5333](#)

A motion was made by Dan Tarwater III, seconded by Jalen Anderson, to adopt the Floor Substitute for Ordinance #5333 dated May 11, 2020, 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. 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)

Bridgette Shaffer addressed Ordinance #5334. She said this Ordinance will allow the Health Department to hire staff for contact tracing and widespread testing for COVID-19, as well as needed technology, as the County moves forward with reopening. Theresa Cass Galvin said that three fire chiefs offered to assist with the contact tracing for the Health Department at no charge to the County. Ms. Shaffer said they need additional staff to manage the outbreaks and they need staff available 40 hours a week every day through the next six months. She does not believe the fire departments can make that commitment.

Ms. Galvin said the fire departments are committed to giving some of their time for as long as it is needed. They are educated and trained to handle this type of response. To imply that they do not know what they are doing is insulting. Their offer does still stand, and it is recommended that they reconsider and accept this offer of assistance.

Crystal Williams said from her experience in healthcare she is aware that this is a specialized field and she understands the desire for a dedicated staff.

Dan Tarwater asked if these staff positions will be doing duties similar to a case manager. He asked about the details of what this \$5 million would provide for a six month program.

Ronald E. Finley said he would like to see more detailed oversight to avoid any knee jerk reactions so the County can be most effective in its response.

Ms. Shaffer said the contact tracing program is a necessary part of the reopen plan.

Jeanie Lauer asked what contact tracing entails. Ms. Shaffer said that when the Health Department gets a report of a positive case, they isolate the case, identify contacts with that person, quarantine those who had contact with the case for 14 days, and follow-up daily to check on symptoms. She said these are the same protocols used for all diseases, COVID-19 is just a different type of disease.

Bridgette Shaffer said this funding will provide for 52 staff members, PPE, tests kits, lab fees, and the technology equipment needed for the additional staff.

Discussion.

A motion was made by Dan Tarwater III, seconded by Ronald E. Finley, to hold Ordinance #5334. The motion passed by a voice vote.

Crystal Williams asked about the reasoning behind holding this Ordinance. Dan Tarwater said there are still unanswered questions and missing documentation. Ms. Galvin said there continues to be unanswered questions and the need for accountability on this matter.

[5334](#)

AN ORDINANCE 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.

(Legislature As A Whole - 1st. Perfection)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

[20421](#)

Land Use Committee moved to adopt. Consent Agenda.

9 CONSENT AGENDA[20421](#)

A RESOLUTION 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.

(ADOPTED)

Resolution #20421 was 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: 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

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

Theresa Cass Galvin said Ordinance #5335 was a collaborative effort between the County Legislature and the County Executive.

[5335](#)

A motion was made by Dan Tarwater III, seconded by Jalen Anderson to perfect Ordinance #5335. The motion passed by a voice vote.

(PERFECTED)

[5335](#)

A motion was made by Dan Tarwater III, seconded by Jalen Anderson, to adopt Ordinance #5335, appropriating \$1,000,000.00 from the undesignated fund balance of the 2020 CARES Act Fund and recognizing the service and sacrifice of firefighters, police officers, and healthcare workers who protect the residents of our community during the COVID-19 pandemic and expressing our gratitude to these first responders for their professional and courageous efforts during this crisis. 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)

[5336](#)

Appropriating \$29,314.00 from the undesignated fund balance of the 2020 Health Fund and authorizing the Director of Finance and Purchasing to issue a check to the Mid-America Regional Council in the amount of \$29,314.00 relating to the Local Emergency Planning Committee.

(Assigned to the Budget Committee.)

Troy Schulte invited Brian Gaddie, Director of Public Works, to address Ordinance #5337. This appropriation is to provide a thorough deep clean of the courthouses and County facilities in which the public gathers. These funds will also provide for building modifications to construct Plexiglass barrier shields. The facility staff will continue with their disinfection protocols and will reevaluate their procedures moving forward. The County is providing masks and other PPE to facility staff. There are concerns about the jail because facility staff are not involved with maintenance at the jail or the 1315 Locust building. Corrections staff are responsible for maintaining those buildings. A supplemental request may be coming to deal with disinfecting those buildings. Ronald E. Finley said he wants the County as a whole to be on the same page with this disinfection process.

[5337](#)

A motion was made by Jalen Anderson, seconded by Dan Tarwater III to perfect Ordinance #5337. The motion passed by a voice vote.

(PERFECTED)

[5337](#)

A motion was made by Jalen Anderson, seconded by Dan Tarwater III, to adopt Ordinance #5337, appropriating \$250,000.00 from the undesignated fund balance of the 2020 CARES Act Fund to provide for cleaning and disinfecting services and building modifications to improve the safety of County associates and visitors in connection with the fight against 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)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[20422](#)

Awarding a twelve-month term and supply contract with one twelve-month option to extend for the furnishing of temporary inmate housing for use by the Department of Corrections to the Andrew County, Missouri Sheriff's Office as an acquisition from another governmental entity.

(Assigned to the Justice and Law Enforcement Committee.)

[20423](#)

Authorizing the County Executive to execute an Agreement for Services with the Mid-America Local Emergency Planning Committee and the Mid-America Regional Council, at no cost to the County.

(Assigned to the Finance and Audit Committee.)

Troy Schulte said if it is determined that CARES Act funds may be used for the purchase of a new Health Department facility, the County already has access to those funds. Resolution #20424 authorizes the retention of a real estate firm to handle the search for a new building. This firm would be paid through a seller commission if the County moved forward with a purchase.

[20424](#)

A motion was made by Dan Tarwater III, seconded by Jalen Anderson, to adopt Resolution #20424, authorizing the County Administrator to execute an agreement appointing Zimmer Real Estate Services, L.C., of Kansas City, MO, as agent for the search for a new Health Department facility at no cost to the County. 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)

[20425](#)

Authorizing a one-month extension to the contract with Zamkus and Associates, LLC, of Jefferson City, MO, for governmental consulting services for use by the Prosecuting Attorney's Office, at a cost to the County in the amount of \$5,000.00.

(Assigned to the Inter-Governmental Affairs Committee.)

[20426](#)

Awarding a twelve-month term and supply contract with one twelve-month option to extend for the furnishing of prisoner transportation services for use by the Sheriff's Office to Security Transport Services of Topeka, KS, under the terms and conditions of Johnson County, Kansas Contract No. 2019-023, an existing government contract.

(Assigned to the Justice and Law Enforcement Committee.)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

Jay Haden, Chief Deputy County Counselor, explained the Emergency Declaration received from the County Executive for commercial disinfecting

and deep cleaning of the Kansas City Courthouse, Eastern Jackson County Courthouse, and the Historic Truman Courthouse.

Theresa Cass Galvin asked Troy Schulte about the status of the audit firm to handle the CARES Act funds. Mr. Schulte said the scope of services is ready for an RFP. They anticipate having a firm hired by mid-June and expect to retain them for a one-year period.

Jeanie Lauer asked for more information on the handling of CARES Act funds with area municipalities. Mr. Schulte said he recommended to the city administrators he has been in contact with, that they can have their COVID-related expenses reimbursed back to March 1, 2020. He suggested a general memorandum of understanding to be approved by the Legislature. He asked the municipalities to prepare a report of their expenses and have their governing bodies approve those expenses and then submit expenses to the County for reimbursement. The goal is to have the maximum level of transparency. There can be no advance funding. The County would have to authorize an expenditure on behalf of an agency under any proposed program by a city.

Dan Tarwater III said there are misconceptions by the public about these funds. The cities, just like the County, will have funding issues because of lost revenue. We cannot use these monies for lost revenues. The County can help with health-related expenses and PPE, but not lost revenue. The County has to follow the guidelines set out for this federal funding.

Ronald E. Finley asked about the guidelines. Mr. Schulte said there are three broad categories of expenses the CARES Act funds will cover: Direct COVID-related expenses incurred March 1 through December 31, 2020; monies cannot be used to offset revenue declines; and, expenses must be unanticipated or unbudgeted as of March 20, 2020. The same governing rules apply to all monies distributed to states and counties through the CARES Act.

Ronald E. Finley said that, if at the end of this period, it is determined that funds have been used for expenditures that are not reimbursable, we will be liable for those expenses.

14 NEW BUSINESS

Crystal Williams thanked Theresa Cass Galvin and the staff that make it possible for Legislators to participate remotely in the Legislative meetings. She appreciates Ms. Galvin's efforts in making sure those participating remotely are fully included in the meetings. She said that despite their occasional disagreements on certain issues, she has great respect for the Chair's handling of issues through this crisis.

Ms. Williams said they have set a target date of the last week of May for a Budget Committee hearing regarding the lost revenue issue and how the County will deal with that substantial loss in revenues. She added that she has heard reports that the security officers at the entrance to the County are not wearing protective masks or gloves and she recommends that these staff members take appropriate precautions.

Jalen Anderson asked if people coming into County buildings will need to wear a mask, as well as everyone working in the Courthouse. Mr. Schulte said yes, that is correct. He asked if there is a plan in place for people to be six feet apart. Mr. Schulte said this will be a challenge. The Communications Department is ordering decals indicating where people should stand. The north doors will not be open. There will be a line of markings for people to stand for the elevators, but associates are encouraged to continue working remotely if possible. High risk associates should continue to stay away during the first phase of the reopen plan. The County will continue these practices for at least 90 days to six months and possibly for the rest of the year. Every department should have a six-month supply of masks. The County is looking for a vendor for onsite monitoring of temperatures for the public and employees, but the digital thermometers are on backorder. If it is not possible to provide the necessary equipment there may be a delay in opening. The sheriff's deputies will make sure people are maintaining the six feet distancing guidelines.

Jalen Anderson asked Diana Turner, Director of Corrections, to attend the legislative meeting on May 18, 2020 to address the issues discussed at today's meeting regarding the facilities that are under the supervision of the Corrections Department. Theresa Cass Galvin said that Ms. Turner will be added to the Agenda under HEARINGS for the May 18, 2020 meeting.

Dan Tarwater III wished his wife Paula a Happy Anniversary as twenty-nine years ago today they came to Jackson County to get their marriage license. They have been together for 39 years.

Theresa Cass Galvin asked all department directors to make sure they are using the updated RLA version dated 6/10/2019. She thanked Crystal Williams for her kind words. They can both be strong, independent women. It is their super power that they can disagree but still come together and be friends.

Theresa Cass Galvin wished her son a Happy Birthday on his 32nd birthday.

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 18, 2020 at 10:00 A.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.