

Jackson County, Missouri

Commissioners
Howard Lotven, Chairman
Roger Davis
Mary Shannon
Keith Curnutt
Jacquelyn Eidson



Jackson County Courthouse
415 E. 12th Street
Kansas City, Missouri 64106
(816)881-3670

Ethics, Human Relations, and Citizen Complaints Commission

Meeting Minutes Thursday, December 21st, 2023, at 5:15p.m. Twelfth Regular Meeting

1. Call to Order

Howard Lotven, Chairman, called the twelfth regular meeting of the Ethics, Human Relations, and Citizen Complaints Commission to order.

2. Roll Call

Present 4 – Howard Lotven, Mary Shannon, Roger Davis, Jacquelyn Eidson

Absent – NONE

Excused 1 – Keith Curnutt

A motion was made by Jacquelyn Eidson and seconded by Roger Davis to excuse Mary Shannon from the November 2023 commission meeting. The motion passed with a voice vote.

A motion was made by Jacquelyn Eidson, seconded by Roger Davis to excuse Keith Curnutt from the December 2023 commission meeting. The motion passed with a voice vote.

3. Introduction of OEHRCC Staff and Guests

Present – Director Chris Crawford

Jennifer and Robert De Luca

4. Approval of Minutes

A motion was made by Roger Davis, seconded by Jacquelyn Eidson, to approve the November 2023 meeting minutes. The motion passed with a voice vote.

5. Director's Report

Auditor - On December 18th, the state auditor's office released a report on its preliminary review of the county's reassessment process. The report stated that the county "failed to provide property owners whose properties' assessed valuations increased over 15 percent adequate notification of their rights regarding physical inspections, and what notification was given was inaccurate and often untimely." The report further notes that this is a violation of RSMo 137.115.11 and likely invalidates any residential property value increase greater than 15%. The auditor's office recommends that "the Jackson County Legislature, County Executive, and Assessor should determine what remedies are available, such as limiting 2023 assessed valuation increases to 15 percent, using prior year assessed valuations, or allowing additional appeals and/or tax protests; then notify taxpayers of these remedies, and allow adequate time for the taxpayers to pursue such remedies." The auditor will continue the full audit and investigation into the reassessment process prior to issuing a final report.

Attorney General - On December 19th, the state attorney general's office and the state tax commission filed a lawsuit against Jackson County and Tyler Technologies for an illegal property tax assessment process. The attorney general's office states that the county failed to follow the law in its assessment process, which caused economic harm to the residents of the county. Specifically, the attorney general asserts that "county officials violated state law when they failed to give timely and proper notice of assessments, failed to perform the required physical inspections of certain property, and handled appeals of their property assessments in an illegal and dysfunctional manner" and "property owners to undue taxation based on illegally increased assessment values without the opportunity to take advantage of the statutorily provided administrative remedies." The attorney general's office has recommended that taxpayers pay their taxes under protest before the deadline of December 31, then use remedies available to them by law.

Supreme Court - On December 19th, after the state attorney general's lawsuit was announced, the state supreme court dismissed the class action lawsuits, filed by taxpayers several months ago, against the county and Tyler Technologies. The court stated that the taxpayers failed to exhaust administrative and appellate remedies, and instead chose to file suit without utilizing those remedies. The county issued a press release shortly after this announcement stating that they will continue fighting for lawful and fair property assessments.

Truman Courthouse - OEHRCC has received several complaints about long lines and wait times at the Truman Courthouse in Independence. Last year, the assessment department was handling personal property business in the downtown courthouse and the Truman Courthouse, and we received many complaints about the long lines, wait times, and customer service at both locations, especially during the property declaration process at the beginning of the year. Within approximately the last 6 weeks, the assessment department has moved out of the downtown courthouse and into the administrative building at 1300 Washington, KCMO. The department is now handling

real estate property questions/issues at 1300 Washington and all personal property questions/issues at the Truman Courthouse. This is causing long lines and wait times at the Truman Courthouse, with many people arriving to get in line before 8:00 am, and the line being completely full before 8:30. Some citizens are finding it difficult to get their assessment business taken care of because they simply cannot get in line to see someone. As an alternative to visiting the Truman Courthouse in person citizens can email the assessment department to handle their assessment business, but the response time is 2-3 weeks, which is often far too long for people to wait to get their vehicles registered. We have reached out to the county administrator to see if there are any potential solutions, such as offering an additional location for personal property issues to be addressed, devoting some resources to improve the email response time, or allocating more associates to the Truman Courthouse to allow more citizens to be served each day. We have not heard back from the county administration on these points yet.

6. Approval of Case Summaries

Director Crawford presented case summaries ##165-181 received in November 2023.

A motion was made by Roger Davis, seconded by Mary Shannon, to approve the director's report with the case summaries. The motion passed by a voice vote.

7. New Business

Director Crawford reminded the commissioners that they had discussed conducting an annual performance review for his position at the end or beginning of the year. Howard Lotven noted that the discussion would be revisited in January when all members were present.

Roger Davis reminded Mr. Crawford that it was time for commissioners to submit conflict of interest forms. Mr. Crawford stated that he would distribute the appropriate forms at the beginning of the year.

8. Unfinished Business

Regarding complaint #142 which has been pending, Director Crawford recommends keeping the complaint open during the county's current litigation.

9. Public Comments

Robert De Luca states that he would like to see if the county will provide answers for the conditions he put forward in his ethical complaint. He states he would also like in writing why they might fail to give him the information he is requesting.

10. Adjournment

A motion to adjourn was made by Roger Davis, seconded by Mary Shannon. The motion passed by a voice vote.