

MINUTES OF THE SENATE ASSESSMENT AND TAXATION COMMITTEE

The meeting was called to order by Chairman David Corbin at 10:40 a.m. on February 9, 2004, in Room 519-S of the Capitol.

All members were present.

Committee staff present:

Martha Dorsey, Legislative Research Department  
Gordon Self, Revisor of Statutes Office  
Shirley Higgins, Committee Secretary

Conferees appearing before the committee:

Melissa Gregory, Director of Appointments for the Governor  
Thomas H. Slack

Others attending:

See Attached List.

**Confirmation hearing on:**

**Thomas H. Slack, State Board of Tax Appeals**

Melissa Gregory, Director of Appointments for Governor Sebelius, introduced Mr. Slack, noting that he would answer any questions the Committee may have concerning his appointment. A copy of Mr. Slack's Senate confirmation summary was distributed to Committee members. (Attachment 1)

Mr. Slack explained that he was appointed last year to the Board of Tax Appeals (BOTA) to fill an unexpired term which expired on January 15, 2004. He went on to say that he is a graduate of the University of Kansas with a degree in business administration and a law degree. After completing law school, he began working for Arthur Young and Company, which was one of the big eight public accounting firms in Kansas City. His job included business tax planning, estate tax planning, and corporate and personal income taxes. He then started a company with two friends from law school, and he obtained his CPA certificate during the time he owned that business. He was a treasurer and a vice president of the company. The company did consulting work for savings and loans and banks. The business was short term. Subsequently, he began working in the real estate appraisal business. He has been doing business and real estate appraisals for the last 20 years. When he was asked by the Governor to fill an unexpired term on BOTA, he met with Shirley Allen, who was then the Secretary of Appointments. They discussed the fact that, while he is a CPA and much of the work he has done over the previous 20 years is done by CPAs in active practice, his active practice is in Missouri, and he is licensed in Missouri. He explained that when his office built a building in 1988 and moved to the Kansas side, he was uncertain if, by statute, it was appropriate to represent himself as a CPA in Kansas. Therefore, his resume does not indicate he is holding himself out as a CPA. The Governor's office told him that there was no need to address the issue of his experience as an attorney, CPA, or MAI appraiser because they would like him to serve regardless. He was told that he would be filling an old position, and the Governor would appoint a CPA to one of the new positions. He emphasized that the Governor was not misled by anything he said because he was completely honest about his qualifications. In addition, he informed the Governor's staff that he would complete the work he contracted to do prior to his interview in September. However, if he was appointed to the Board, he would not do any more of appraisals in Kansas. His appointment was announced in October, but he did not take the position until November 17, 2003. He completed most of his work in Kansas between October and November, and any remaining work was completed by the end of the year.

Senator Corbin noted that fax communications received by himself and other members deal with the issue of Mr. Slack's qualifications. He asked staff to clarify what term Mr. Slack is being appointed to. Ms. Gregory said Mr. Slack was appointed to fill the unexpired term of Calvin Roberts, who retired last year. At this point, he is filling a position for an individual who is experienced in real estate, property valuation, and appraisal until he is reappointed or someone else is appointed. She explained, as upcoming appointments become open, each subsequent appointment will be made according to the provisions of the newly enacted structure.

## CONTINUATION SHEET

MINUTES OF THE SENATE ASSESSMENT AND TAXATION COMMITTEE at 10:40 a.m. on February 9, 2004, in Room 519-S of the Capitol.

Senator Corbin explained that a letter of good standing from the Missouri Department of Economic Development states that Mr. Slack successfully completed his CPA license in Missouri. He commented that the statute does not indicate where the CPA Board member must be licensed but simply states that the member must be a CPA. He noted that the letter also states that Mr. Slack has been a CPA certificate holder since 1984 and asked for an explanation of the difference between an CPA holder and a regular CPA. Mr. Slack could not give an exact definition but said that the difference is similar to attorneys in Kansas who can choose to be active or inactive. If a licensed CPA does not want to pay dues or maintain the license, he becomes a holder. At present he is licensed, but he has been a holder.

Senator Goodwin pointed out that K.S.A. 74-2433, as amended in 2003, provides that BOTA shall be composed of three members, one of which is to be an attorney and one of which is to be a Certified Public Accountant. Both professional members are to have engaged in active practice in their respective professions for a period of at least five years. She asked Mr. Slack to confirm that the Governor said that he was not required to be a CPA. Mr. Slack clarified that he did not visit with the Governor but with Shirley Allen and an attorney to whom Ms. Allen referred him to research the issue. The research indicated that Mr. Roberts' appointment was made under the old structure; therefore, Mr. Slack's qualifications made no difference in filling Mr. Roberts' unexpired term. Mr. Slack said that it was his understanding that the Governor would then have time to designate one position as the attorney, one position as the CPA, and one position with a person with general real estate knowledge. He would be designated as the person with general real estate knowledge, and BOTA members Mr. Keen and Mr. Patten would be replaced with someone with five years active practice as a CPA and someone with five years active practice as an attorney.

Senator Goodwin asked Mr. Slack if he still has a business relationship as an appraiser with Terrill-Neill, counsels who have an extensive BOTA practice. Mr. Slack said he no longer has any active on-going cases with Ms. Terrill or Mr. Neill. He noted that he testified two or three times before BOTA for matters in which they were involved. To date, there has been one BOTA case dealing with a request for a rehearing on an apartment complex he appraised in 2000. He recused himself from that hearing. In the two months he has served, this is the only instance in which he had to recuse himself. He noted that he has no idea how many cases pending at BOTA concern property which he appraised before he was appointed to the Board. He acknowledged that concerns have been expressed as to whether or not he would have a continuing problem with conflict of interest. He explained that everyone who had an active property tax appeal case regarding property he appraised knew that he would recuse himself from their case. He noted that, so far, Mr. Keen and Patten have recused themselves from more cases than he has. He explained that, as a real estate appraiser, property taxes were between 10% and 30% of his business. Of those, less than half are in Kansas. Therefore, if he serves a four year term, he anticipates that there will no conflict of interest occurring after the first year.

Ms. Gregory confirmed for Senator Pugh that the designated position Mr. Slack will fill does not require that he be a CPA or lawyer. Mr. Slack confirmed that he is licensed as a CPA and as a lawyer in Missouri, but not in Kansas. Senator Corbin commented that concerns were expressed to several legislators that Mr. Slack was not qualified because he was not a CPA. He confirmed with Ms. Gregory that Mr. Roberts, whom Mr. Slack replaced, did not meet the requirements for a CPA under the new statute. Mr. Slack confirmed for Senator Pugh that he has not submitted appraisals to the Board since he was appointed. In addition, he confirmed for Senator Lee that he currently is not doing appraisals as an expert appraiser or any other appraisals in Kansas. He noted that a condemnation proceeding in Kansas City, Kansas, regarding widening I-35 has been appealed. In his opinion, it would be a burden on his client if he did not testify in court on the matter. However, the case has nothing to do with property taxes and would not be before BOTA. Mr. Slack emphasized that he would not hear cases involving property he appraised before being appointed to the Board. Furthermore, he does not intend to do any appraisal work in Kansas as long as he is a member of BOTA to ensure that inadvertent conflicts or other issues do not arise. He explained that he currently does very little appraisal work, but he has not completely closed down his business because it would have an adverse affect for him when his appointment expires four years from now.

Senator Oleen noted that she chairs the Confirmation Oversight Committee which considered Mr. Slack's appointment to fill the unexpired term of someone else. She noted that since that time, the interpretation of some was that he was to fill a position on the current Board which requires five years experience as a CPA. However, communication with the Governor's office since that issue was raised indicates that the Governor

CONTINUATION SHEET

MINUTES OF THE SENATE ASSESSMENT AND TAXATION COMMITTEE at 10:40 a.m. on February 9, 2004, in Room 519-S of the Capitol.

intends to fill the first full vacancy for the position which expired January 15, 2004, with a person who meets the requirement of five years experience as a CPA.

Senator Oleen then asked Mr. Slack if someone else in his firm is prepared to take charge of his appraisal business so that he can give his full attention to the BOTA position he will serve for four years. In response, Mr. Slack said that he is sacrificing income to take a position which is not a lifetime appointment. He went on to say that, if he allows his company to die, he would have to start over in four years when he will be 53. He explained that he and the gentleman he works with have their own corporation, but others in the office could help him somewhat. However, he sent all of his clients a letter stating that he will no longer be doing work in Kansas. He observed, "If you are not going to serve when you are asked, then don't complain what goes on." He commented that there were five Board members the last time he testified before BOTA, but only one member was present. When interviewed by the Governor's office, he indicated that he would not miss hearings because he feels that persons coming for a hearing deserve to have their case heard by as many Board members as possible.

Senator Oleen requested that, before a decision on Mr. Slack's appointment is made by the full Senate, BOTA provide the Committee with information as to if other BOTA appointees have the same track record as Mr. Slack relative to their assignment of work and also the recusal rate for current Board members.

Senator Corbin commented that the questions he had were answered. In his opinion, Mr. Slack meets the qualifications for the BOTA position. He noted that, due to the recusal issue, perhaps legislation passed last year reducing then number of BOTA members from five to three should be the subject of a summer interim study.

Senator Lee moved to approve Mr. Slack's appointment to the Board of Tax Appeals, seconded by Senator Pugh. The motion carried with Senators Goodwin and Oleen abstaining.

The meeting was adjourned at 11:50 p.m.

The next meeting is scheduled for February 10, 2004.





**Senate Confirmation Information Summary**  
*Prepared and Submitted by the Office of Governor Kathleen Sebelius*

**Appointee:** Thomas H. Slack

**Position:** Member, State Board of Tax Appeals

**Appointment Date:** August 5, 2003

**Expiration Date:** January 15, 2004

**Term Length:** 4 years

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**Statutory Authority:** K.S.A. 74-2433

**Party Affiliation:** Republican

⇒ Statutory geographic representation

Congressional District: No more than one member shall be appointed from any one of the congressional districts.

Requirements (*insert any that apply*)

County:

Size requirement (*if any*):

Other, specify: Members shall be residents of the state.

⇒ Statutory party affiliation requirement:

Not more than two members shall be of the same political party.

⇒ Statutory industry or occupation requirements:

One member shall have engaged in active practice as a certified public accountant for a period of at least five years. The members shall be selected with special reference to training and experience for duties and shall be individuals with legal, accounting or appraisal training and experience.

**Salary:** \$98,862.00

**Predecessor:** Calvin T. Roberts

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**Board Composition Prior to Confirmation of New Appointee:**

*(SEE ATTACHED LIST)*

*Senate Assessment & Taxation  
2-9-04  
Attachment 1*

# State Board of Tax Appeals

Tax

1-2

ovAppts: 3  
 talAppts: 3

**Term Length:** Four Years

**Contact:** Tony Folsom  
 General Counsel & Executive Director  
 DSOB, Room 451, 915 SW Harrison  
 Topeka, KS 66612  
 785/296-2388  
 785/296-6690 fax

**Statute:** KSA 74-2433 et seq.

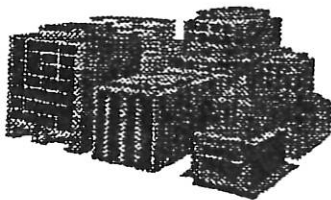
**Party Ratio:** 2:1

**Notes:** 1 member shall have been regularly admitted to practice law in KS and for period of 5 yrs. engaged in active practice of law, 1 member shall have engaged in active practice as a CPA for period of 5 yrs. Members shall be residents of KS. No more than 1 shall be appointed from

**Confirmation:** Y  
 \*\* Committee Approved; Subject to Full Senate Confirmation

	<u>County</u>	<u>Affiliation</u>	<u>CD</u>	<u>H</u>	<u>S</u>	<u>Appointment Date</u>	<u>Expiration Date</u>
Keen Dwight D. 1 Tam-O-Shanter Court Winfield KS 67156 H: 620/221-6267 W: FAX:	Cowley	R	4	79	32	03/21/2000	01/15/2004
		<b>Position:</b> a member <b>Seat #:</b> 004 <b>Succeeds:</b> Robert Frey <b>Appointed by:</b> Governor <b>Remarks:</b> Fourth District Appointee; Attorney					
Patton David L. 807 S.W. Terrace Avenue Topeka KS 66611 H: 785-234-4681 W: 785-296-2388 FAX: 785-296-6690	Shawnee	D	2	55	19	01/16/2001	01/15/2005
		<b>Position:</b> a member and Chair <b>Seat #:</b> 001 <b>Succeeds:</b> himself -- reappointed <b>Appointed by:</b> Governor <b>Remarks:</b> First District Appointee; Attorney					
Roberts Calvin T. 8024 West 115th Street Shawnee Mission KS 66210 H: 913/451-5670 W: 913/707-4145 cell FAX:	Johnson	R	3	19	11	03/08/2001	01/15/2004
		<b>Position:</b> a member <b>Seat #:</b> 005 <b>Succeeds:</b> Stephen Richards <b>Appointed by:</b> Governor <b>Remarks:</b> Third District Appointee; member with appraisal experience					

Appraisal & Consulting  
Services Group



(n) 913-851-7708

Thomas H. Slack, MAI  
8675 West 96<sup>th</sup> Street, Suite 203  
Overland Park, Kansas 66212  
Phone: (913) 385-9600  
FAX: (913) 385-9696

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**THOMAS H. SLACK, MAI, J.D.**  
Qualifications & Experience

Certifications

- I. State of Kansas Certified General Real Property Appraiser (G-250)
- II. State of Missouri Certified General Real Estate Appraiser (RA 001977)
- III. State of Iowa General Real Property Appraiser (CG01905)

Employment History

- 1996-Present President, Thomas H. Slack Appraisal Company, Inc.;  
Principal, Appraisal & Consulting Services Group
- 1983-1996 Fee Appraiser, Nunnink & Associates, Inc., Kansas City
- 1981-1983 Vice President, Mid-America Mortgage Consultants, Ltd., Kansas City
- 1979-1981 Tax Accountant, Arthur Young & Company, Kansas City

Education

- I. University of Kansas, Bachelor of Science in Business Administration (1972-1976)
- II. University of Kansas, School of Law, Juris Doctorate (1976-1979)

Specialized Appraisal Related Experience

- I. Litigation Valuation - *Ad valorem* tax, bankruptcy, eminent domain, construction defects, environmental contamination, probate, divorce, impact studies and zoning.
- II. Local, Regional and National Scope Valuation Assignments, Market Valuation and Feasibility Analysis, Fee Simple, Lease by Lease and Fair Rental Analysis
  - A. Retail - Regional Malls, Community Centers, Outlet Malls, Power Centers, Neighborhood Centers, Discount Stores, Convenience Stores, Service Stations, Restaurants
  - B. Industrial - Manufacturing Plants, Distribution Centers, Industrial/Business Parks
  - C. Residential - Adult Congregate Care Facilities, Subdivision Analysis, Single Family, Nursing Homes
  - D. Apartments - High Rise, Mid-Rise, Garden, Retirement, HUD
  - E. Office - Regional and National Corporate Headquarters, Single and Multiple Tenant, Medical Offices
  - F. Specialized Properties - Hotels, Business Appraisals, Blight Studies, Tax Abatement Consultation, Impact Studies (Landfills, Convenience Stores, Retail, Cellular Monopoles, etc.), Golf Courses, Merchandise Marts, Hospitals

THOMAS H. SLACK, MAI, J.D.  
Qualifications & Experience  
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III. Expert Witness:

District/Circuit Courts: Jackson, Greene and Clay Counties in Missouri; Johnson County, Kansas; Linn and Delaware Counties in Iowa; Cook County, Illinois  
Federal Bankruptcy Court: Kansas City, Missouri; Kansas City and Topeka, Kansas  
Board of Tax Appeals for the State of Kansas  
State Tax Commission for the State of Missouri

Affiliations

I. Appraisal

- A. Member, The Appraisal Institute (MAI) No. 7785
- B. Kansas City Chapter No. 20 of The Appraisal Institute
- C. Affiliate, The Appraisal and Consulting Services Group
- D. Appraisal Institute Ethics and Counseling Panel Volunteer
- E. Director, Kansas City Chapter, American Institute of Real Estate Appraisers (1990-1991)
- F. Director, Kansas City Chapter, Appraisal Institute (1992-1993)
- G. Chairman, Professional Practice Committee, Kansas City Chapter, Appraisal Institute (2001)

II. Legal

- A. Admitted to Kansas Bar, 1979
- B. Admitted to Missouri Bar, 1980
- C. Member, Kansas City Bar Association

III. Accounting

Awarded Missouri CPA Certificate 1984

IV. Social and Other

- A. Chairman of the Board, Midwest Ear Institute (1993-1995)
- B. Director, Midwest Ear Institute (1993-1999)
- C. Director, United Cerebral Palsy Association of Kansas City (1989-1994)
- D. Kansas University Alumni Association and Williams Education Fund
- E. Sigma Alpha Epsilon Fraternity - Kansas Alpha
- F. Director, Midwest Bancorporation, Inc., Hays, Kansas (1988-1994)



(for Appointments Office use only)

KBI Check:  NA  In Process  Complete

### KANSAS GOVERNOR SEBELIUS APPOINTMENT QUESTIONNAIRE

Position for which you are applying: Board of Tax Appeals

Full Name (please include title and middle name): Thomas H. Slack

Home Address:

14113 Granada Leawood, KS 66224 Johnson  
(City, State, Zip) (County)

Business Address: 8675 W. 96<sup>th</sup> Street, Suite 203 Overland Park, KS 66212  
(City, State, Zip) (County)

Business Name: Thomas H. Slack Appraisal Co., Inc.

Position Title: President

Home Phone: (913) 851-7708 Business Phone: (913) 385-9600 Cell Phone: (913) 488-8022

Facsimile No: (913) 385-9696 E-Mail Address: tslack@appraisalgroupcentral.com

Driver's License No: \_\_\_\_\_ Social Security No: \_\_\_\_\_

Date of Birth: 4/21/54 Place of Birth: Newton, KS Kansas resident? yes

Registered Voter? yes Party Affiliation: Republican

Congressional District: 3 Kansas Senate District: 11 Kansas Representative District: 28

Do you have the legal right to live and work in the United States?

yes

Education: BS, Business Administration, University of Kansas

J.D., Law, University of Kansas

Employment Experience: owner, T.H. Slack Appraisal Co. 1996-present;

Nunnink & Associates 1983-1996; Mid-America Mortgage Consultants 1981-1983; Arthur Young & Co. 1979-1981

Do you hold any professional licenses? If so, please provide numbers: KS Bar 10378; Mo Bar 30904  
Mo CPA; KS Appraiser 6-250; Mo Appraiser 2A197

What special skills could you bring to this position? Iowa Appraiser CG01905

CPA - accounting (business appraisal) valuation; legal; MAT - real estate valuation

Previous government appointments: \_\_\_\_\_  
(Please provide dates)

**EXPERIENCE AND AFFILIATIONS** (Note: All yes answers require a detailed response. Attach a separate sheet if necessary.)

1. **Military Service:** List rank, date, and type of discharge from active service: *None*
2. **Government Experience:** List on a separate sheet any experience or association with local, state or federal government (exclusive of elective public office but including advisory, consulting, honorary, or other part-time service or positions), with dates of service:
3. **Elective Public Office:** List on a separate sheet all elective public offices sought and/or held with dates of service:  
*None*
4. **Honors and Awards.** List on a separate sheet all scholarships, fellowships, honorary degrees, honorary society memberships, and any other special recognitions for outstanding service or achievements:
5. **Organization Affiliations.** List on a separate sheet all local, state, and national civic, cultural, educational, charitable, or work-related organizations you have been associated with in the past ten years. Include any position held in the organization and the dates of service.
6. **Organization Restrictions:** To your knowledge, is any organization listed above restricted on the basis of race, color, religion, sex, national origin, disability, marital status, or veteran status? If yes, please describe: No  Yes \_\_\_\_\_
7. **Issues.** Have you ever been publicly identified, in person or by organizational membership, with a particularly controversial national or local issue? If so, please describe. No  Yes \_\_\_\_\_
8. **Submission of views.** Have you ever submitted oral or written views to any governmental authority, whether executive or legislative, or to the news media on any particular controversial issue other than in an official governmental capacity? If yes, please describe. No  Yes \_\_\_\_\_
9. **Associations.** Have you ever had any association with any person, group, or business venture that could be used, even unfairly, to impugn or attack your character and qualifications for the position to which you seek to be appointed? If yes, please describe. No  Yes \_\_\_\_\_
10. **Opposition.** Do you know of any person or group who might take overt or covert steps to attack, even unfairly, your appointment? If yes, please identify and explain the basis for the potential attack on a separate sheet. No \_\_\_\_\_ Yes  *See attached*
11. **Miscellaneous.** List on a separate sheet any factors, other than the information provided above, which particularly qualify you or are relevant to the position to which you are seeking appointment? Include any special skills.  
*See attached*

**CONFLICTS OF INTEREST:** (Yes answers require a detailed response. If necessary, use a separate sheet.)

12. **Relationship to governmental employees.** Are you or your spouse or other close family members related to any state governmental official or employee? If yes, please provide details. No  Yes \_\_\_\_\_
13. **Compensation.** During the past five years have you or your spouse or other close family members received any compensation or been involved in any financial transaction with the State of Kansas? If yes, please explain. No  Yes \_\_\_\_\_
14. **Business relationships.** Describe on a separate sheet any business relationship, dealing, or financial transaction which you have had during the last five years, whether for yourself, on behalf of a client, or acting as an agent, which you believe may constitute an appearance of impropriety or result in a potential conflict of interest in the position to which you want to be appointed. If none, please so state. None
15. **Transactions with officials.** During the past five years, have you or your spouse or other close family members received any compensation or been involved in any financial transaction with any state government official? If, yes, please explain on a separate sheet. No  Yes \_\_\_\_\_
16. **Spouse or other family members.** If the nature of employment for your spouse or other close family member is related in any way to the position to which you want to be appointed, please indicate the employer, the position, and the length of time it has been held. If it is not, please so state. N/A
17. **Lobbying activities.** Describe briefly on a separate sheet any lobbying activity during the past ten years in which you have engaged for the purpose of influencing the passage, defeat, or modification of any legislative or administrative action. Describe briefly any lobbying activity during the last ten years in which your spouse has engaged for the purpose of influencing the passage, defeat, or modification of any legislative or administrative action that is related in any way to the position to which you are seeking appointment. (Lobbying activity includes any activity performed as an individual or agent of another individual, or of any organization that involves direct communication with an official in the executive branch of state government, or any official of the legislative branch.) If none, please so state. None
18. **Regulated activities.** Describe on a separate sheet any interest that you, your spouse, or other close family member may have (whether as an officer, owner, director, trustee, or partner) in any corporation, firm, partnership, or other business enterprise and any non-profit organization or other institution that is regulated by or receives direct financial benefits from any department or agency of the State of Kansas. If none, please so state. None
19. **Other.** Please describe on a separate sheet any other matter in which you are involved that is or may be incompatible or in conflict with the discharge of the duties of the position to which you seek to be appointed or which may impair or tend to impair your independence of judgment or action in the performance of the duties of that position. If none, please so state. See attached

**ETHICAL MATTERS:** (Yes answers require a detailed response. If necessary, use a separate sheet.)

20. **Citations.** Have you ever been cited for a breach of ethics for unprofessional conduct by, or been named in a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If yes, please provide details.  
No  Yes \_\_\_\_\_
21. **Convictions.** Have you ever been convicted of or entered a plea of guilty or nolo contendere or forfeited collateral for any criminal violation other than a minor traffic offense? (Minor traffic offenses do not include the Kansas offenses of driving under the influence, operating while impaired, reckless driving, or the equivalent offenses in other states.) If yes, please explain.  
No  Yes \_\_\_\_\_
22. **U.S. Military convictions.** Have you ever been convicted by any military court? If yes, please provide details. No  Yes \_\_\_\_\_
23. **Imprisonment.** Have you ever been imprisoned, been on probation, or been on parole? If yes, please provide details. No  Yes \_\_\_\_\_
24. **Agency proceedings: Civil Litigation.** Are you presently, or have you ever been, a party in interest in any administrative agency proceeding or civil litigation that is related in any way to the position to which you are seeking appointment? If yes, please provide details.  
No  Yes \_\_\_\_\_
25. **Agency proceedings and civil litigation of affiliates and family.** Has any business in which you, your spouse, close family member or business associate are or were an officer, director or partner been a party to any administrative agency proceeding or civil litigation relevant to the position to which you are seeking appointment? If yes, please provide details. (With respect to this question, you need only consider proceedings and litigation that occurred while you, your spouse, close family member, or business associate were an officer of that business.)  
No  Yes \_\_\_\_\_
26. **Other litigation.** Other than the litigation described above, have you or any business in which you are or were an officer, director, or partner been a plaintiff or a defendant in a civil lawsuit? **Yes**  
If yes, please describe. Is anyone currently threatening to sue you or any business in which you are an officer, director, or partner? If yes, please describe. No  Yes \_\_\_\_\_
27. **Drivers license.** Has your drivers license ever been suspended or revoked? If yes, please describe. No  Yes \_\_\_\_\_
28. **Parking tickets.** Do you have outstanding parking tickets from any jurisdiction in Kansas that have remained unpaid for more than 60 days? If yes, please explain. No  Yes \_\_\_\_\_
29. **Security clearance denial.** Have you ever been denied a military or other governmental clearance? If yes, please explain. No  Yes \_\_\_\_\_

30. **Firings.** During the past ten years, have you been fired from a job for any reason? Did you quit after being told that you would be fired, or did you leave by mutual agreement because of specific problems? If yes, please provide details. No  Yes \_\_\_
31. **Alimony and child support.** Are you now, or have you ever been delinquent in the payment of alimony or child support? If yes, please provide details. No  Yes \_\_\_
32. **Consumption of alcohol.** Are you currently abusing alcohol? No  Yes \_\_\_
33. **Controlled substances.** Are you currently engaged in the illegal use of a controlled substance or abusing the use of a prescribed controlled substance? If yes, please describe. No  Yes \_\_\_
34. **Physical examination.** If you receive a conditional offer of appointment or employment, would you be willing to take a physical examination, which may include a drug test? No \_\_\_ Yes
35. **Other.** Please provide any additional information, favorable or unfavorable, which you feel should be considered in connection with your appointment.

**FINANCIAL MATTERS: (Yes answers require a detailed response. If necessary, use a separate sheet.)**

36. **Delinquencies.** Are you delinquent on any federal, state, or local debt? (Include delinquencies for income, property, or other taxes; governmental loans; overpayment of benefits; required payments into or under governmental programs; and other debts or required payments to the government; plus any defaults on or under loans which are or were guaranteed, insured, or subsidized by any unit of government.) If yes, please provide details on a separate sheet of paper. No  Yes \_\_\_

**REFERENCES/SIGNIFICANT SUPPORTERS (elected officials, community leaders, friends, etc.)**

Name: Linda Terrill Relationship to you: business associate; friend

Telephone: (913) 814-8900

Name: Ben Neill Relationship to you: business associate; friend

Telephone: (913) 814-8900

Name: Larry Winn III Relationship to you: business associate; community leader

Telephone: (913) 451-8788

Name: \_\_\_\_\_ Relationship to you: \_\_\_\_\_

Telephone: \_\_\_\_\_



**AUTHORIZATION AND CERTIFICATION:**

The facts set forth in my application are true and complete. False statements, answers, or omissions on this application shall be sufficient cause for nonconsideration or for dismissal after appointment or employment. I also recognize that my selection is based on receipt of satisfactory information from former employers and references, and upon my ability to perform the essential elements, with or without reasonable accommodations, for the position for which I am applying. I herein authorize investigation, without liability, of the information supplied by me in this application for employment or appointment including academic, occupational, health, law enforcement, and government records. I also authorize listed employers and references, without liability, to make full response to any inquiries in connection with this application for appointment or employment. I understand and agree that the terms, conditions, compensation, benefits, hours, schedule, and duration of my appointment or employment may be determined, changed, or modified from time to time at the will of the appointing authority or designee without limitation or condition. I FURTHER CERTIFY THAT I HAVE READ THE FOREGOING PARAGRAPH AND KNOWINGLY MAKE THIS AUTHORIZATION BY SETTING FORTH MY SIGNATURE.

I understand that if I am required to be registered, licensed, or certified by federal or state law or regulation for the position I seek, I will notify the appointing authority immediately if any investigation, limitation, or cancellation of my registration, licensure, or certification occurs. If any investigation, probation, limitation, or cancellation occurs, I understand that my failure to notify my appointing authority as described above will result in the termination of my appointment or employment.

Signature  Date 8/19/03

**Please attach a copy of your resume if you have not previously provided one to the Appointments office.**

# KANSAS GOVERNOR SEBELIUS APPOINTMENT QUESTIONNAIRE

## Attachment To Questionnaire

### **Question 9 – Associations:**

I believe the person with whom I have had a business association that would be most likely to attempt to impugn or attack my character and qualifications would be Paul Welcome, County Appraiser for Johnson County. In the past, Mr. Welcome has assisted a county assessor in another state in attempting to unfairly impugn my character and qualifications in order to gain an advantage in a property tax appeal. When I aggressively defended my integrity, they eventually backed down from the attack. Nevertheless, I would presume there would be some opposition from the Johnson County Appraiser's office.

### **Question 11 – Special Skills/Qualifications:**

I believe my 20 years of experience as a real estate and business appraiser, including 15 years as an MAI, indicate my extensive experience and qualifications relating to property tax appeals. In addition, I obtained my CPA certificate 19 years ago in Missouri and am a licensed CPA in Missouri today. I spent two years with a public accounting firm and have experience with preparing allocations of income among various states for corporations doing business in multiple states. Finally, as an attorney, I am trained in interpreting statutes.

### **Question 19 – Other Activities That Could Conflict With Duties:**

I have been retained to prepare appraisals of several properties for property tax purposes over the past two years that have not yet been resolved at the county level. If those appeals were to reach the Board of Tax Appeals, I would clearly have to recuse myself from those cases and I would be asked to testify on behalf of the party for whom I appraised the property. Other than in those few cases, however, I would not anticipate any conflicts and, in each of those cases, I prepared only an appraisal consistent with my independent judgment of market value. I was not an advocate for a party.

### **Question 26 – Other Litigation:**

To my knowledge, I have been a party to two civil lawsuits. In 1996, I was a plaintiff in a suit against my former employer, Nunnink & Associates, Inc. I sued the company for violation of an employment agreement and I left the company in conjunction with that litigation. The case was settled when my former employer agreed to pay me in return for my agreement not to disclose the amount of the payment.

In 1975, I was a defendant in a personal injury claim from an automobile accident. I was not cited for any violations, but was sued by the family of a little boy who was injured. My insurance company handled the case and settled the matter. I was never informed of any of the terms.



## KANSAS GOVERNMENTAL ETHICS COMMISSION

## STATEMENT OF SUBSTANTIAL INTERESTS FORM

**INSTRUCTIONS.** This statement (pages 1 through 4) must be completed by individuals who are required to do so by law. Any individual who intentionally fails to file as required by law, or intentionally files a false statement, is subject to prosecution for a class B misdemeanor.

Please read the "Guide" and "Definition" section provided with this form for additional assistance in completing sections "C" through "G". If you have questions or wish assistance, please contact the Commission office at 109 West 9th, Topeka, KS or call 785-296-4219.

**A. IDENTIFICATION:**

PLEASE TYPE OR PRINT

Slack

Thomas

H

Last Name

First Name

MI

Jeannie

Spouse's Name

14113 Granada

Number &amp; Street Name, Apartment Number, Rural Route, or P.O. Box Number

Leawood, KS 66224

City, State, Zip Code

(913) 851-7708

Home Phone Number (include area code)

(913) 385-9600

Business Phone Number (include area code)

**B. THIS FORM IS REQUIRED TO BE FILED BECAUSE YOU ARE:**

(check one or more of the following)

1. State Elected Official (Governor, Lt. Governor, Attorney General, Commissioner of Insurance, State Treasurer, Secretary of State, State Senator, State Representative, Member of State Board of Education or District Attorney);
2. Appointed Member of a State Board, Council, Commission or Authority;
3. Appointed State Position is Subject to Senate Confirmation;
4. Employee of a State Agency or University;
5. General Counsel for a State Agency;
6. Candidate for State Office.

Board of Tax Appeals

List Name of Agency, Board, University or Elected Position (You may use abbreviations but not acronyms)

Division if applicable (May use acronyms)

Member

Position

\* The last four digits of your social security number will aid in identifying you from others with the same name on the computer list. This information is optional.

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C. OWNERSHIP INTERESTS: List any corporation, partnership, proprietorship, trust, joint venture and every other business interest, including land used for income, and specific stocks, mutual funds or retirement accounts in which either you or your spouse has owned within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5%, whichever is less. If you or your spouse own more than 5% of a business, you must disclose the percentage held. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "C", check here \_\_\_\_.

BUSINESS NAME AND ADDRESS	TYPE OF BUSINESS	DESCRIPTION OF INTERESTS HELD	PERCENT OF OWNERSHIP INTERESTS	HELD BY WHOM
1. T.H. Slack Appraisal Co., Inc. Overland Park, KS	Appraisal Co.	stock	100%	self
2. Bartels Family Limited Partnership No. 2, Hays, KS	family investment partnership	life beneficiary		spouse
3. Bartels Family Limited Partnership No. 5, Hays, KS	family investment partnership	life beneficiary		spouse
4. National Advisor's Trust Overland Park, KS	retirement fund	IRA acct.		self
5. National Advisor's Trust Overland Park, KS	retirement fund	SEP acct		self
6.				
7.				
8.				
9.				
10.				

D. GIFTS OR HONORARIA: List any person or business from whom you or your spouse either individually or collectively, have received gifts or honoraria having an aggregate value of \$500 or more in the preceding 12 months.

If you have nothing to report in Section "D", check here \_\_\_\_.

NAME OF PERSON OR BUSINESS FROM WHOM GIFT RECEIVED	ADDRESS	RECEIVED BY:
1. Jim and Pat Bartels	Hays, KS	self
2. Jim and Pat Bartels	Hays, KS	spouse
3.		

E. **RECEIPT OF COMPENSATION:** List all places of employment in the last calendar year, and any other businesses from which you or your spouse received \$2,000 or more in compensation (salary, thing of value, or economic benefit conferred on in return for services rendered, or to be rendered), which was reportable as taxable income on your federal income tax returns.

1. YOUR PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR. IF SAME AS SECTION "B", CHECK HERE \_\_\_\_.

If you have nothing to report in Section "E"1, check here \_\_\_\_.

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.	T.H. Slack Appraisal Co., Inc.	Overland Park, KS	appraisal
2.			

2. SPOUSE'S PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR.

If you have nothing to report in Section "E"2, check here X.

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.			
2.			

F. **OFFICER OR DIRECTOR OF AN ORGANIZATION OR BUSINESS:** List any organization or business in which you or your spouse hold a position of officer, director, associate, partner or proprietor at the time of filing, irrespective of the amount of compensation received for holding such position. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "F", check here \_\_\_\_.

	BUSINESS NAME AND ADDRESS	POSITION HELD	HELD BY WHOM
1.	Thomas H. Slack Appraisal Co., Inc. Overland Park, KS	President	Self
2.	Thomas H. Slack Appraisal Co., Inc. Overland Park, KS	Secretary	Spouse
3.			
4.			
5.			
6.			
7.			
8.			



G. RECEIPT OF FEES AND COMMISSIONS: List each client or customer who pays fees or commissions to a business or combination of businesses from which fees or commissions you or your spouse received an aggregate of \$2,000 or more in the preceding calendar year. The phrase "client or customer" relates only to businesses or combination of businesses. In the case of a partnership, it is the partner's proportionate share of the business, and hence of the fee, which is significant, without regard to expenses of the partnership. An individual who receives a salary as opposed to portions of fees or commissions is generally not required to report under this provision. Please insert additional page if necessary to complete this section.

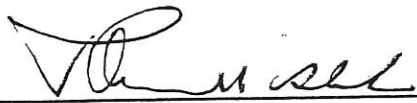
If you have nothing to report in Section "G", check here \_\_\_\_.

	NAME OF CLIENT / CUSTOMER	ADDRESS	RECEIVED BY
1.			
2.	See attached		
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			

H. DECLARATION:

I, Thomas H. Slack, declare that this statement of substantial interests (including any accompanying pages and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of all of my substantial interests and other matters required by law. I understand that the intentional failure to file this statement as required by law or intentionally filing a false statement is a class B misdemeanor.

8/13/03  
Date

  
Signature of Person Making Statement

NUMBER OF ADDITIONAL PAGES 1

Return your completed statement to the Secretary of State, Memorial Hall, First Floor, 120 SW 10th Ave., Topeka, Kansas 66612-1594.

KANSAS GOVERNMENTAL ETHICS AND COMMISSION  
PART G. RECEIPT OF FEES AND COMMISSIONS

	<b>Name of Client/Customer</b>	<b>Address</b>	<b>Received By</b>
1	Haith Air Cargo	Overland Park, KS	T.H. Slack Appraisal
2	General Electric	Ft. Myers, FL	T.H. Slack Appraisal
3	Best Buy	Minneapolis, MN	T.H. Slack Appraisal
4	Engineered Air	DeSoto, KS	T.H. Slack Appraisal
5	Airport Building Associates	Overland Park, KS	T.H. Slack Appraisal
6	Gold Bank	Kansas City, MO	T.H. Slack Appraisal
7	Day Star Corporation	North Kansas City, MO	T.H. Slack Appraisal
8	Young Corporation	Bucyrus, KS	T.H. Slack Appraisal
9	Amini's Galleria	Overland Park, KS	T.H. Slack Appraisal
10	Hillcrest Bank	Overland Park, KS	T.H. Slack Appraisal
11	Sunny Hills Apartments, LLC	Shawnee Mission, KS	T.H. Slack Appraisal
12	Wal*Mart	Bentonville, AR	T.H. Slack Appraisal
13	Executive Hills, Inc.	Overland Park, KS	T.H. Slack Appraisal
14	B&B Management	Fresno, CA	T.H. Slack Appraisal
15	The Mission Bank	Mission, KS	T.H. Slack Appraisal
16	Key Bank	Cleveland, OH	T.H. Slack Appraisal
17	Galyan's Trading Co.	Plainfield, IN	T.H. Slack Appraisal
18	Jay Greitlein	West Des Moines, IA	T.H. Slack Appraisal
19	Executive Manor, Inc.	Topeka, KS	T.H. Slack Appraisal
20	Bank of Blue Valley	Overland Park, KS	T.H. Slack Appraisal
21	Valley View Bank	Overland Park, KS	T.H. Slack Appraisal
22	Commerce Bank	Kansas City, MO	T.H. Slack Appraisal
23	Homestead Country Club	Prairie Village, KS	T.H. Slack Appraisal
24	Joseph C. Sansone Company	St. Louis, MO	T.H. Slack Appraisal
25	Kansas City Georgetown Apartments	Merriam, KS	T.H. Slack Appraisal
26	Maxus Properties	Greenville, SC	T.H. Slack Appraisal
27	John's Food & Drink	Kansas City, MO	T.H. Slack Appraisal
28	Northgate Village Apartments	Shawnee Mission, KS	T.H. Slack Appraisal