

Rural Leavenworth, Inc.
P. O. Box 60
Basehor, KS 66007
info@ruralleavenworth.org



January 30, 2020

Written Testimony to Senate Ethics, Elections and Local Government Committee
Honorable Chair, Senator Elaine Bowers
Randi Walters, Committee Assistant
785-296-7389, Room 142-S, State Capitol Building

Proponent Testimony Senate Bill 248
Hearing: Tue., February 4, 2020, 9:30 am, Room 142-S
Sherri Grogan, President
Rural Leavenworth, Inc.

Dear Madame Chairwoman and Committee Members,

Thank you for the opportunity to provide written testimony in support of SB248. Rural Leavenworth, Inc. is a non-profit, non-partisan organization whose mission is to keep citizens informed, encourage civic participation and be an advocate for rural residents. Areas of focus are inter-local agreements, comprehensive plan changes, re-zoning, and development which may impact members and/or the rural character of the county. RLI was established in December 2019 and I currently serve as the President.

Below is an overview of the situation that occurred in Leavenworth County where citizen's property rights had the potential to be impacted without them knowing about it.

- In March 2018, Leavenworth County approached City of Basehor with a proposal regarding urban growth and an inter-local agreement. This was documented in a FAQ documented posted on the city's website on August 2, 2019, over a year after the initial proposal.
- A concerned citizen established the "Basehor Urban Growth Management" Facebook page in August 2018 after attending a City of Basehor Special Meeting (June 2018) where potential annexation was discussed.
- Concerned citizens hosted public meetings in August and November 2018.
- City of Basehor held a work session on April 10, 2019 where a recommendation on urban growth was presented by Special Legal Counsel. The proposed map showed an urban growth boundary taking full advantage of the allowed 3-mile radius from the city.
- A formal resolution giving the Mayor of Basehor authorization to negotiate an inter-local agreement with the county was presented to the Basehor Council on July 24, 2019. The only notification was the agenda posted on the city's website, citizen's comments on social media. It should also be noted there was no FAQ document available. Concerned citizens attended the meeting and provided public comment. The council tabled the resolution until August 28 because two members were absent.

- As mentioned above, the City of Basehor posted a FAQ on their website on August 2, 2019. This likely came about as a result of comments at the July 24 meeting as well as a post on social media announcing another community hosted meeting.
- Citizens held another community meeting on August 6, 2019 to bring awareness to the issue. During this meeting, we collected money to help notify our neighbors.
- The week of August 12 letters were mailed to approximately 850 households affected by the issue. The purpose of the letter was to let neighbors know about the issue and invite them to the next City Council Meeting. The exact number of property owners impacted is not known; however, there were 1,141 households with registered voters in the Basehor Urban Growth Management Area.
- On August 28, the Basehor City Council defeated the proposed resolution on the inter-local agreement.

RLI supports SB248 because:

- Citizens should not be responsible for providing notifications to their neighbors when the government initiates extraterritorial changes.
- The burden is on the entity initiating the change to communicate, notify and sell the proposal if they want the citizens to support their desired changes.
- A formal notification requirement ensures all property owners affected are notified. Not everyone has the internet or uses social media. A notification in the US Mail provides the best opportunity for all affected to be informed.
- The proposed public notice, mailing and hearing process is consistent with the process for special use permits, re-zoning and variance requests.
- Notification is especially important for extraterritorial changes because it has the potential to affect many property owners.
- A formal notification process will provide transparency and encourage dialog between the city, county and citizens.
- The new, draft Leavenworth County Comprehensive Plan encourages the county to negotiate inter-local agreements with the cities, so we expect additional activity in our county.

Rural Leavenworth, Inc. encourages you to support SB248. Thank you for your time and consideration.

Sincerely,



Sherri Grogan

President

Rural Leavenworth, Inc.

info@ruralleavenworth.org

Attachment – 2019 Proposed Basehor Urban Growth Map

