

From: Opks <op_ks@yahoo.com>
Sent: Friday, June 11, 2021 4:24 PM
To: clerk <clerk@miamicountyks.org>
Subject: Golden support Q&A plus 16 points

****This email originated from outside of County of Miami****

We would like to submit to the record the following Q& A items and points corresponding with the 16 points provided by the Commissioners

Sincerely,
Jennifer Williams

Attachment to e-mail: Golden Miami county letter q and a.docx below

Golden Kansas Q&A

What stops annexation of our boundaries by outsiders?

INCORPORATION

Because of KSA 12-520(7) - Unincorporated land is vulnerable. It is not “claimed” by a government, so it can be claimed by any city that touches it. This has proven to put residents in a dangerous and damaging position of being surrounded by incompatible developments while not providing property owners due process since they are not the constituents of the infiltrating city.

Benefits of Incorporation:

- A Representative Government who understands our citizens and who better serves our interests
- Citizens of our city will decide which future developments are compatible with their residential homes and the Hillsdale Watershed to keep our area beautiful and safe.
- We will protect our property values and property rights from being destroyed by corporate interests and an outsider city.
- Minimal outlay in city taxes compared to potential loss of not incorporating
- Due Process – our government will listen to its constituents
- Protection of our Rural Residential way-of-life and all of the freedoms that come with that
- The Right to Farm is guaranteed

Damages to Residents if we remain unincorporated:

The cost to stay living surrounded by an intermodal park:

- Loss of quiet enjoyment and peace of mind
- Loss of property values

- Increased truck traffic and loss of ability to safely walk or drive our roads
- Increased county taxes to pay for roads
- Loss of wildlife and hunting with increased traffic and decreased habitat
- Loss of Hillsdale Lake if it becomes polluted by trucks and flooded by runoff
- Loss of ability to enjoy firearm hobbies if thousands of intermodal employees complain of safety concerns
- Loss of constitutional rights of due process and electing our representatives

What stays the same after incorporation?

Schools Districts – all students continue going to their same district

Water – all residents continue purchasing their water directly from Water 7

Existing septic systems – We are not required by law to run sewers and we are not going to. We continue using our existing septic systems.

Fire Protection – Fire District continues providing fire services just as they do now for the tax already paid on our current tax bill.

Police Protection – Miami County Sheriff continues the same level of police protection that they provide now for no additional costs to us.

Land Use – All residents continue the same land uses they are allowed currently in the County. We support all constitutional and property rights and the right to farm! We are not incorporating to restrict our residents. We are incorporating to protect them!

Road Maintenance – The County continues maintaining all Major Collector Roads as they do now

What changes?

Zip code – We don't have details yet, but once incorporation is approved we should get a new zip code for Golden. This is a Federal thing and nothing that our city or county taxes need to cover.

City Tax – There will be a minimal mill levy to cover the expenses necessary to keep our city viable.

Truck Ordinances – We will be able to pass city ordinances that restrict truck traffic to local deliveries and farm vehicles only; in order to protect the safety of our citizens travelling on the roads and protect the roads from unnecessary wear and tear.

Road maintenance – KSA 12-2901 allows the County and the City to enter into binding interlocal agreements to negotiate any additional roads beyond the major collectors that the county will continue to maintain as well as any roads the city will begin to maintain. We are requesting the County continue with the current maintenance schedule that our current

taxes are covering since we will not be creating any new roads at this time and we will be saving the county money with the truck ordinances that save road maintenance on county roads both inside and outside of our city limits. However, these negotiations cannot happen until after Golden is actually a legal entity.

Future Income:

Annual real estate assessed value = \$14,289,320

Annual personal property estimated assessed value = \$95,095

Proposed Annual Real Property Tax Income at 3 mill = \$42,868

Future Revenue Potential:

- Property tax from residential Large-acreage subdivision development
- City Sales tax for businesses operating within city limits – including homebased
- New Small businesses that fit with surrounding neighbors and terrain
- Utility franchise fees

Anticipated Expenses:

Insurance, bond, legal, general supplies and admin
(less than \$10,000 spent on these items by Fontana)

Road repair and maintenance on local roads not negotiated with County under interlocal agreement.

Golden's Current Contribution to County – Ad Valorem only:

Golden Assessed Values = \$14,289,320

2020 County Mill Levy = 46.374

2020 County taxes paid by Golden residents = \$662,653

2020 Road & Bridge Portion = 18.2848%

Total of Golden County Taxes Allocated to Road Dept = \$121,165

Average annual non-collector road maintenance from 2015-2020 = \$37,197

14 Factors:

(1) Population and population density of the area within the boundaries of the territory:

Estimated Population: 776

Population Density: 86/sq/mi

Assessed Value Per Capita, Golden: \$18,414 (MICO: \$14,119)

(2) land area, topography, natural boundaries, and drainage basin:

Approximate Area: 9 sq/mi

The proposed city boundary of Golden is settled in a critical part of the Hillsdale watershed with the lake itself serving as a southern border. The City of Golden would allow the residents of the county who are situated the closest to this critical natural resource to protect it from the irresponsible development that is currently encroaching upon it. Representatives from Hillsdale WRAPS have stated that the current path and type of development will most certainly have a devastating effect on the lake. The City of Golden would be uniquely situated to protect Hillsdale lake on behalf of all the residents of Miami and Johnson Counties who rely on it for clean water and recreation.

(3) area of platted land relative to un-platted and assessed value of platted land relative to assessed value of unplatted areas:

Substantial portions of the property within the proposed city boundary of Golden have been developed as large lot residential subdivisions. This is the primary type of residential development that Golden expects to see in the future, and the proposed City of Golden is being formed to protect and foster this lifestyle in order to maximize the property values of these homes and residents' quality of life.

(4) extent of business, commercial, and industrial development.

This area is not appropriate for heavy business, commercial, or industrial development. Its location in the Hillsdale Watershed makes the importance of smart development that conserves existing natural resources and prevents degrading water quality and erosion of surface soils by the development of huge warehouse parcels composed almost entirely of impervious surfaces all-the-more necessary.

Development of the remaining undeveloped parcels within the proposed city boundary of Golden with levels of commercial and residential construction compatible with maintaining the existing pristine quality of Hillsdale Lake and preventing the destruction of the natural amenities enjoyed by residents is the type of growth needed and desired by Golden residents.

(5) past expansion in terms of population and construction:

The area has grown consistently over the past couple decades with a potential spike in development in the near future. The area has seen consistent growth in rural residential over the past couple decades. New houses now sit on farms and small

acres that were previously uninhabited. In addition, many older homes have been extensively remodeled and are now inhabited by young families. There have also been multiple subdivisions built, including Hidden Prairie and Forest Creek with Timber Trace Ranch being an area with approximately 60 homes.

The properties in the area are some of the most valuable and most desired in the county. Homes don't come up for sale often and are quickly sold to an eager buyer when they do. More recent industrial development in the area threatens to devalue the residential properties in the area which would significantly decrease their contribution to the county's tax base.

(6) likelihood of significant growth in the area, and in adjacent areas, during the next ten (10) years;

The area is wildly popular with residents who desire to live on a larger piece of land than is available in most cities. The area has the potential to grow significantly over the next several decades with many large tracts of land that could be divided into large rural residential lots. This is the most logical development path as it is the one with the highest demand and would provide the current large landowners who wish to sell with the highest price per acre. This type of development would also provide a significant increase in the county's tax base as the homes typically built in this type of development are larger and more valuable than the typical home in the county.

(7) the present cost and adequacy of governmental services and controls in the area and the probable effect of the proposed action and of alternative courses of action on the cost of adequacy of local governmental services and regulation in the area and in adjacent areas;

The current level of services in the area are adequate at this time. The current level of government regulation as it relates to development however are sorely lacking. Because state statutes allow cities to freely annex unincorporated county land and give all control of future development of that land to the city who annexes it, the residents within the proposed City of Golden are completely vulnerable. Residents in the area are already threatened by irresponsible development in the City of Edgerton. These residents have, on multiple occasions voiced valid concerns to the City of Edgerton about the development and the affect that it would have on them and their properties and those concerns were ignored.

(8) effect of the proposed action, and of alternative actions, on adjacent areas, and on the local governmental structure of the entire urban community.

The effect of the incorporation of Golden is a positive effect for the entire metro area. Rural residential properties are at an all-time demand, and inventory is low. People enjoy the ability to work in the urban areas and then retreat to a rural residential residence. Golden will preserve that asset for the entire community, while protecting and increasing future revenue streams for the County with ad valorem tax revenue and protected property values that will only continue to appreciate.

Golden will continue protecting and preserving the Hillsdale Lake for the enjoyment of the entire region; thereby, protecting revenue and income streams for the County.

The alternative to Golden is the inevitable infiltration of incompatible logistics park facilities that will destroy those items.

(9) the size and population of any existing city within five miles of the territory;

The cities within 5 miles of the territory are:

Gardner – 21,528 residents

Spring Hill – 6,626 residents

Edgerton – 1,713 residents

Both Gardner and Spring Hill have written letters of recommendation and approval for Golden Kansas. They understand that Golden is a good thing and they look forward to working with us as good neighbors.

(10) the city's growth in population, business and industry during the past ten (10) years;

Edgerton's population has remained stagnant at approximately 1,700 for decades; while their business expansion is pushing them to become known as a logistics park. They are in the process of pursuing unincorporated land in order to continue a rapid, unplanned expansion of logistics parks in the Hillsdale watershed and rural residential communities in Johnson County. They are at the Miami County line.

(11) the extension of the city's boundaries during the past ten (10) years;

Edgerton's land mass has extended south of I-35 and east several miles in the past 10 years, specifically the past 4 years. They use KSA 12-520(7) along with LPKC developer NorthPoint to give consent as the property owner to expand their city boundaries. Their boundaries in many places have minimal contact points yet a sprawling footprint.

(12) the probability of the city's growth toward the territory during the ensuing ten (10) years, taking into consideration natural barriers and other reasons which might influence growth toward the territory;

The City of Edgerton, over the past 10 years has annexed land in a seemingly haphazard and random fashion to allow its own governing body to control continued development of Mega-warehouses. The probability of this continuing is high as is the probability of Edgerton annexing into Miami county. If this occurs the Miami County residents countywide and the citizens of Golden will be cut out of the process and their voice as represented in the new Miami County comprehensive plan will be silenced.

The City of Edgerton's industrial logistics park district is currently at the northern border of the proposed boundary of Golden at the section on 215th Street between Gardner Road and Moonlight Road and within ¼ mile of the 215th Street border near west of Waverly to Baxter. The industrial development is highly incompatible

to the residences and it is imperative that the rural residential property owners are given the opportunity immediately to incorporate the boundary and keep the incompatible and unreasonable development out of the area south of 215th Street.

- (13) the willingness of the city to annex the territory and its ability to provide city services in case of annexation;

The City of Edgerton has shown that they are very willing to annex tracts of land purchased by NorthPoint Development for the purpose of Mega-warehouse development. However, Edgerton does not seem at all willing to annex any residential properties, even those that lie directly adjacent to areas annexed for heavy industrial development. In addition, Edgerton has annexed in such a way that would surround residential properties with industrial development but by not also annexing the residential properties, the affected residents are figuratively and sometimes literally shut out from having any voice in how the development is done.

If they were to annex the residents for residential, they would be trapped in an intermodal district, separated by an Interstate from the actual town with people.

The City of Edgerton cannot “better serve” (KSA 15-123) the residents in the proposed city of Golden. Edgerton does not annex for residential expansion. They annex and rezone to logistics park for warehouses.

- (14) the general effect upon the entire community, should there be additional cities in the area; all of these and other considerations having to do with the overall orderly and economic development of the area and to prevent an unreasonable multiplicity of independent municipal governments.

The general effect upon the entire community is positive. Golden is poised to become an asset and a gem to not only Miami County but also the entire metro area and the State of Kansas. There would not be an unreasonable multiplicity of independent municipal governments by the creation of Golden. In fact, this area in our proposed boundaries is underserved for government and does not have adequate representation. Golden will better serve its residents by allowing rural residential uses (something not allowed in neighboring Gardner or Spring Hill and not compatible with Edgerton’s development trend); the right to farm; and protection of property rights and property values.

- (15) What plans do the petitioners have for the city to provide municipal services, such as law enforcement, and for public infrastructure, such as street improvements and maintenance?

Miami County Sheriff continues the same level of police protection that they provide now for no additional costs to us. All residents will continue purchasing their water directly from Water 7. Residents will continue using existing septic systems. Fire protection will continued to be provided with no changes. The County continues maintaining all Major Collector Roads as they do now.

KSA 12-2901 allows the County and the City to enter into binding interlocal

agreements to negotiate any additional roads beyond the major collectors that the county will continue to maintain as well as any roads the city will begin to maintain. We are requesting the County continue with the current maintenance schedule that our current taxes are currently covering since we will not be creating any new roads at this time and we will be saving the county money with the truck ordinances that save road maintenance on county roads both inside and outside of our city limits.

(16) Are there alternatives to incorporation that would achieve the objective of petitioners to "...preserve their large lot residential and agriculture-friendly way of life while accommodating appropriate new development"?

There are no alternatives to incorporation that protects or preserves our large-lot residential and agriculture-friendly way of life while accommodating appropriate new development and giving residents a voice in the development process.