



## COUNTY OF LEAVENWORTH

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### **Leavenworth County Commission-2023- a year in review**

It is hard to believe that another page in the calendar has turned and suddenly we are facing a new year. 2023 was a challenging year with many issues facing county government including inflation, property taxes, and overreaching state and federal bureaucracies. Because we are beginning a new year it seemed appropriate to take a moment to review the various issues Leavenworth County government has faced this year.

#### **Property Taxes and the Property Tax Task Force**

From the moment I was first elected to the County Commission in 2019 the issue of property taxes has been foremost on the minds of many citizens. Ballooning valuations of property mean that folks on fixed incomes quickly get swamped by higher taxes even though they have no intentions of moving at this time which is what would be required to take advantage of the new high "values".

While county taxes only represent between 25-30% of the average Leavenworth County citizens tax bill and school taxes represent 40-60% with the remainder being taken up by the city, township boards, fire districts, and library boards taxpayers are concerned about budgets and the need to be fiscally accountable to the constituents of each political subdivision. Because this concern was expressed again and again a Property Tax Taskforce was established to identify ways to reduce property taxes both locally and at the state level.

Some of the ideas that have come out of the first five meetings of the task force include placing a 4% cap on property tax increases based upon valuation SCR 1611, an amendment to the Kansas Constitution, passed the Kansas Senate with a super-majority vote and is awaiting a vote in the Kansas House, if it secures a 2/3 vote in that chamber it will send the amendment to the voters, then if a majority of Kansans vote YES it will become law. The taskforce members were strongly in support of capping valuation increases and were supportive of the amendment.

Another proposal which was also supported by the taskforce members was to ask our state legislators to fund the Local Ad Valorem Tax Reduction fund (LAVTR), which is already statutorily in place for the purpose of reducing local property taxes. It has been estimated that if the legislators fully funded this program, then the county could potentially reduce property taxes by about \$4 million dollars which would represent about 4 mils.

Other taskforce ideas include limiting the mileage distance that the county appraiser can use to reach out and find a comparable property to 10 miles or less, comparing the approach of other states to controlling local budget increases, finding ways to bring more business and commercial development in to the county to help offset high taxes, getting local taxing authorities to consider consolidation of administrations, and more accountability and openness on development of local budget priorities.



### **Flatland Landfill in Easton**

The citizens of the small town of Easton continued to face smoke and gas venting at the Flatlands landfill facility following a large fire at the dump. Some of the nearby citizens complained that they could not even be outside of their homes or allow their children to play as fires continued to flare up for over a year and a half. In 2022 the County Commission closed the facility for a time because of various public health concerns at the facility. KDHE failed to exercise full enforcement authority as required by state regulation to protect the public health of the surrounding community.

In February of 2023 Commissioner Jeff Culbertson and myself testified before the House Agricultural and Natural Resources Budget Committee about the lack of KDHE enforcement of existing environmental laws and regulations by KDHE as a part of the state budget process.

KDHE officials acknowledged that fires at the landfill had not been completely extinguished as required by environmental regulations. Commissioners made request that KDHE take responsibility for ensuring that those smoldering that emit fumes are completely put out per regulation.

The Committee agreed to delay approval of the entire KDHE budget until answers were received from department bureaucrats about the lack of enforcement.

Unfortunately, local state Representative Neelly contended that the citizens of Easton were inaccurate in their assertions. Neelly after an afternoon visit in February to the area asserted before the committee that "...there was no fire and there is no smoke..." he later asserted that the situation was certainly not "unbearable" for Easton citizens. Sadly, this one-sided testimony brought confusion to the committee and allowed the KDHE budget to move forward without resolution to the Easton landfill issue.

Confirming the testimony of the County Commissioners in July of 2023 KDHE finally admitted that the facility was in fact in serious violation of its operating permit by being over capacity limits established by KDHE. KDHE issued a Cease-and-Desist order closing down the landfill in July 2023 and the facility remains closed at this time pending a plan by the owner to resolve the violations.

### **Kansas Association of Counties change their position**

I testified twice before the legislative committee of the Kansas Association of Counties because their policy statement actually contained language that would have placed the organization in opposition to the proposed 4% cap on property taxes contained in SCR1611. Previously, the organization statement of legislative priorities stated, "We oppose any legislation that artificially limits or otherwise alters property valuation and strongly support a legislative change adding language to current state law to clearly indicate that a constitutional fair market value for non-agricultural property does not include a hypothetical lease fee." I carried a letter from all five Leavenworth County Commissioners encouraging them to support the 4% cap in SCR1611 and the Kansas Association agreed to drop the previous language and add the following language, "Property Tax Relief- KAC supports property tax changes that would reduce the reliance of county government on property tax revenue to fund county services. KAC supports efforts to make the property valuation and taxation system more stable, predictable, fair and equitable. This language was ratified by the full membership committee of KAC which was attended by Commissioner Doug Smith and me in Wichita. This language change is a huge victory for Kansans who want to see their property tax bills restrained in the future. The language change means the Kansas Association of Counties can support property tax reform legislation like SCR1611 and other measures for property tax relief.

If we all make our voices heard during the next legislative session hopefully our state leaders will act to reform the current broken property tax system here in Kansas.



### **Transparency**

I made the motion during the 2023 re-organization meeting for the Leavenworth County Commission to for the first time begin live-streaming and recording commission work sessions. It is during these work sessions when much of the business of county government is done, where we hear reports, receive and submit proposals to change county rules and regulations, hear about the budget impact of various proposals and where future capital improvement plans for roads and bridges are considered. This was a great victory for the citizens of the county as it makes our government even more transparent and open to folks in the county.

I will continue efforts to move the public comment portion of the meeting to the beginning of the meeting so that citizens who have made long drives from rural areas in the county can have the expression of their views prioritized by the Commission.

### **Immigration detention center**

Leavenworth County Commissioners were approached in the summer of 2023 with a proposal to make the county an intermediary in an arrangement between the U.S. Immigration and Customs Enforcement Agency (ICE) and Core Civic a private prison operator in Leavenworth. The Core Civic facility would have been used as a holding facility for illegal immigrants scheduled to be sent back to their country of origin because of legal violations in the United States.

My position from the beginning has been that it is not appropriate for county government to engage in this arrangement due to liability, financial and humanitarian issues. In addition, the haste with which the proposal was put together by the parties did not allow for the proposal to be properly vetted by the public or the County Commissioners. In the end the full Commission agreed and after giving serious consideration voted unanimously to oppose the arrangement.

### **Panasonic Battery Plant in DeSoto**

Local officials including head of the Leavenworth County Economic Development Office Tom Cole, Lisa Haack LCDC, Mayor Christenson of Linwood, Tonganoxie Officials and myself have attended regional collaboration events addressing the issues that the new Panasonic Plant at DeSoto will create for local communities. Several meetings have been held addressing housing, infrastructure, childcare, and transportation issues and how local communities can work together to address different aspects of each issue.

During 2024 Leavenworth County will continue to advocate for infrastructure investment in our county to help offset some of the impact upon our own local roads, bridges, and physical plant that will be created by the growth created by the \$4 billion- dollar plant. In 2023 we have had some success with the state matching grants being awarded for replacement of two bridges in need of replacement on Golden Road between Linwood and DeSoto.

### **Roads and Bridges**

County road and bridge projects including improvements to 158<sup>th</sup> St. Between 32 highway and Metro have been completed, the 155<sup>th</sup> St. Work with a county matching grant between Basehor and the county moved ahead in 2023 with construction continuing in 2024, CR 30 easement acquisition and preparation for hard surfacing and preparation for additional road improvement and shoulder widening on Tonganoxie Road moved ahead with agreements pending with local RWD#9. American Rescue Act funds were utilized to replace aging box culverts in need of replacement. The County has hard surfaced more roads in Leavenworth County in the last 4 years than had been completed in the past 30 years including more than \$7 million dollars of in dust abatement projects that were completed using sales tax funds, over \$3 million dollars of those improvement were located in southern and western Leavenworth County.

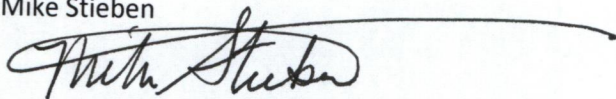


Much of the credit for successfully obtaining matching grants goes to Public Works Director Bill Noll who has been successful in helping to obtain a large number of road improvement grants. According to Mr. Noll's testimony during our November 29<sup>th</sup> County Commission meeting that 18 grants have been received in the past 3-½ years (42 months). These grants brought in more than \$27 million dollars in road and bridge funding to Leavenworth County. Grants included, High Risk Rural Roads grants worth \$2.6 million, Off-System Bridge Grant \$1 million, Local Bridge Grant \$150,000, KDOT Transit Grant- \$580,000, KDOT Planning Grant \$150,000, FHWA Safe Streets Program \$380,000, Watershed Institute Fish Passage Grant \$150,000, MARC STP Grants- Cooperation for funding on County Maintained Roadways \$8.6 million, Parallel Road to 158<sup>th</sup> St to State Avenue \$5.6 million, MARC trails grant Basehor \$600,000, BASE GRANT \$1.3 million, US Fish and Wildlife-fish passage grant \$50,000, High risk rural roads for rural road safety studies \$50,000 and Congressional Earmark grant written into the Omnibus FY2024 Federal Budget for \$2 million dollars for CR30/235<sup>th</sup> street improvements.

Thus, there have been 9 bridges completed and 4 major road projects completed: Eisenhower Road, 178<sup>th</sup> St., 158<sup>th</sup> St., and 5 dust abatement groups (35 miles).

Please do not hesitate to reach out to my office if you need assistance of any kind on local government issues. I will be addressing many of the county issues we have reviewed briefly here in more detail in future articles. I will be speaking on the evening of January 11<sup>th</sup> at the Linwood Library and the public is welcome to attend. In addition, the property tax task force meetings will continue later this spring and we will be having additional town hall meetings which the public will be welcome to attend.

Mike Stieben

A handwritten signature in black ink, appearing to read "Mike Stieben", with a long horizontal flourish extending to the right.

Leavenworth County Commissioner