



JoCo Charter Commission

Amendment

Unincorporated Infrastructure Improvements Update

Amendment- Trustee

Description of proposed amendment:

Establishment of “*Johnson County Unincorporated Trustee*”
Position Elected by the Unincorporated Citizens of Johnson
County.



Amendment- Unincorporated Trustee

Feedback Received from many sources:

- **Charter Commissioners**
- **Planning/Develop Commission**
- **JoCo Elected Trustees**
- **Current Commissioners**
- **Former Commission Chair**
- **Neighboring County Commission/staff**
- **Members of the Unincorporate community**
- **Law firms- Harris/Hensley; Foulston**

Amendment- Unincorporated Trustee

Compilation of Feedback Received:

- **There is a lack of funding issue in the UIA that needs resolved, not sure if the Elected Trustee is the right answer...**
- **Is the election of the Unincorporated Trustee in line with State Statute?**
- **Can we leverage the existing elected Township Trustees?**
- **Where will you get the funds?**
- **How can you ensure the funds will get allocated and spent as needed in the UIA?**
- **What \$ amount is the right amount?**
- **How will the fund allocation/management work?**

Amendment- Unincorporated Trustee

Description of the DRAFT revised Amendment:

Direct funding and decision making authority back to the Unincorporated area through the use of the existing elected Township Trustees.

Amendment- Unincorporated Area

2021 JOHNSON COUNTY CHARTER COMMISSION PROPOSED AMENDMENT TO HOME RULE CHARTER Submitted by: Randy Hutchins Date:12/22/2021 Description of proposed amendment: Amendment mandating that the Johnson County Planning and Zoning Commission, with the advice and consent of the Township Trustees, spend certain monies from the general fund, reserves, and public works funds of Johnson County, Kansas on the maintenance and upkeep of roads, bridges, culverts, and overall capital improvement in the unincorporated areas of Johnson County, Kansas.

Purpose and reason for proposed amendment: The US Government Structure was developed to ensure all citizens were fairly represented at ALL levels of Government to include Federal, State, County, City and Townships. That is not happening today for the Unincorporated citizens of Johnson County Kansas. Today's Unincorporated Area represents ~ 40% of the total Johnson County land mass, but only ~10% of the population. Only two of the seven County Commissioners have Unincorporated Constituents in their District (3 and 6). This has created an environment where the Unincorporated Citizens are left without an impactful voice within our County Government Structure as it exists today. As a result, the Unincorporated Citizens have suffered the following consequences to include, but not limited to:

- Poor Road Conditions (Dusty/Muddy Roads)
- Lack of proper county right of way maintenance (Overgrowth, dangerous ditches)
- Limited to no capital infrastructure improvements
 - Paved Roads
 - Replaced bridges/Culverts
 - Lack of roadway development to properly support the Intermodal

Amendment- Unincorporated Area

This proposed amendment will utilize existing elected officials and provide for the reallocation of certain monies from the General Fund and Capital Budgets for employees, contractors, facilities, equipment, supporting staff, etc., to the maintenance and upkeep of roads, bridges, culverts, and overall capital improvement in the unincorporated areas of Johnson County, Kansas. More specifically, the amendment will state that beginning in fiscal year 2023, the Johnson County Commission shall spend an amount equal to at least **XX%** of the overall monies in **XXXX fund** possessed by Johnson County annually for the capital improvements in the unincorporated areas of Johnson County while maintaining the existing proposed/approved Public Works budget, adjusted annually for inflation for maintenance of the unincorporated area. The percentage shall adjust every five years to align with the % reduction of Unincorporated Road miles. Additionally, there shall be the following one-time expenditures in the first five fiscal years to bring the unincorporated areas up to incorporated infrastructure standards.

Year 1: \$20M

Year 2: \$15M

Year 3: \$12M

Year 4: \$10M

Year 5: \$8M

Amendment- Unincorporated Area

The Elected Township Trustee(s) shall perform the following roles:

- Prioritize Capital Expenditure projects and Maintenance improvement needs
- Sign off on all Unincorporated Infrastructure RFQ, RFP and Contract Awards in their Township to ensure optimal use of budgetary funds
- Perform an annual assessment of the current Public Works department Operations cost and performance; provide readout in the Planning & Development led annual review to include any recommended improvement/changes necessary.
- Provide Advice and Consent of all Allocations of expense and capital funds.

The Planning and Development Department Head shall lead a collaborative effort inclusive of the Township Trustees with Unincorporated citizens, Public Works, County Finance, County Commissioners, and the Planning/Development Commission with the responsibility of putting forth a recommendation to the County Commission for final approval. The County Commission shall not unreasonably withhold approval of the recommendation(s) put forth.

Charter Sections

County Departments or Agencies Affected:

- Planning & Development, Zoning Departments, Public Works

Status:

- **December 17-** Based on feedback, Decision to draft a revised amendment
- **December 20-** Sent draft of revised amendment to Foulston for feedback
- **December 20-** Initiated discussions with Elected Township Trustees
- **December 21-** Kicked off funding discussions
- **December 22-** Provide Charter Commission update

Targeted Next Steps and Timeline:

- **December 22-** Receive Feedback from remaining Commissioners and Township Trustees
- **January 7-** Finalize funding approach
- **January 10-** Finalize the Amendment and present to Charter Amendment
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