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Sedgwick County

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Legislation Details (With Text)

File #: 15-0132 **Version:** 1 **Name:**
Type: Requests **Status:** Passed
File created: 2/19/2015 **In control:** Board of Sedgwick County Commissioners
On agenda: 2/24/2015 **Final action:** 2/24/2015
Title: SETTING OF HEARING DATE FOR DE-ANNEXATION HEARING CITY OF VALLEY CENTER.
Presented by: Robert W. Parnacott, Assistant County Counselor.

RECOMMENDED ACTION: Approve the notice of hearing.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Notice of De Annexation Hearing Valley CenterOrd No 1145 07, 2. Petition for De-Annexation Valley Center Ord No 1145 07, 3. Signed Not of finding 071112, 4. VC_Annexation_7_Ord_1145_07, 5. 1145-07 Map, 6. Draft Informational Letter Re De Annexation Hearing Ord No 1145 07

Date	Ver.	Action By	Action	Result
2/24/2015	1	Board of Sedgwick County Commissioners	Approved	Pass

SETTING OF HEARING DATE FOR DE-ANNEXATION HEARING CITY OF VALLEY CENTER.

Presented by: Robert W. Parnacott, Assistant County Counselor.

RECOMMENDED ACTION: Approve the notice of hearing.

In June 2012, the Board held the post-annexation hearing required by K.S.A. 12-531 for the area annexed under City of Valley Center Resolution No. 1145-07. Following the hearing, the Board made a finding the City had not provided certain services. The Board also notified the City and landowners that the City had 2 ½ years to provide the services identified, and that following that 2 ½ year period, any landowner could file a petition seeking de-annexation from the City. The 2 ½ year period ran from June 27, 2012 (the date the hearing was concluded) to December 27, 2014.

A petition for de-annexation was received on February 18, 2015. The statute does not require the petition be filed within any specific date following the 2 ½ period.

K.S.A. 12-532 provides that within 10 days of receipt of a petition seeking de-annexation, or exclusion, of land from a city, the Board must set a hearing date. Notice of the hearing must then be sent to the City, the petitioning landowners, the township, and any other water, sewer or special district governing body having jurisdiction over the area. Although not required by statute, an informational letter will be sent to other landowners annexed under Ord. No. 1145-07 who did not petition for de-annexation.

At the hearing the Board hears evidence from the City and landowners concerning whether the services were extended as provided in the service plan. The Board then makes a finding whether the services were extended. If the Board finds the services were not extended, the Board may order the land be de-annexed from the City.

Alternatives: None. The Board is required to schedule a hearing within 10 days of receipt of the petition.

Financial Considerations: None.

Legal Considerations: K.S.A. 12-532 authorizes the filing of the petition and requires the Board schedule a hearing.

Policy Considerations: None

Outside Attendees: N/A

Multimedia Presentation: Map