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Sedgwick County

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Legislation Details (With Text)

File #: 15-0226 **Version:** 1 **Name:**
Type: Findings **Status:** Passed
File created: 3/25/2015 **In control:** Board of Sedgwick County Commissioners
On agenda: 4/8/2015 **Final action:** 4/8/2015
Title: PUBLIC HEARING ON PETITIONS FOR DE-ANNEXATION FROM THE CITY OF VALLEY CENTER.
Presented by: Robert W. Parnacott, Assistant County Counselor.

RECOMMENDED ACTION: Open the public hearing, receive testimony, close the public hearing and make the required finding.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A Notice of De Annexation Hearing Valley CenterOrd No 1145 07, 2. B 1 Petition for De-Annexation Valley Center Ord No 1145 07, 3. B 2 Petition for De-Annexation 1145-07 Received 2 27 15, 4. C Signed Not of finding 071112, 5. D Annex VII Service Plan_2007, 6. E 1145-07 Map, 7. F - June 27 2012 Public Hearing excerpt unofficial minutes

Date	Ver.	Action By	Action	Result
4/8/2015	1	Board of Sedgwick County Commissioners	Approved	

PUBLIC HEARING ON PETITIONS FOR DE-ANNEXATION FROM THE CITY OF VALLEY CENTER.

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

RECOMMENDED ACTION: Open the public hearing, receive testimony, close the public hearing and make the required finding.

Certain properties were annexed by the City of Valley Center upon the publication of Ord. No. 1145-07 in 2007. As required by state statute, the Board of County Commissioners held a hearing in June 2012 to determine if the City had provided services in accordance with the service plan prepared for the annexation. After receiving testimony from the City and landowners, the Board made a finding the City had not provided services in accordance with the service plan. The City and landowners were then notified that the City had 2 1/2 years to provide the services. At the end of the 2 1/2 years, if the City still had not provided the services, any landowner could petition the Board to hold a hearing on whether his or her property should be de-annexed from the City.

On February 18, 2015, and February 27, 2015, the Board received petitions from landowners requesting a public hearing. The Board then set the hearing for April 8, 2015. Notice of the hearing was sent to the City, the petitioning landowners, the Fire District, the township and the Hillside Cemetery District by certified mail. An informational letter was sent to other landowners in the area annexed by Ord. No. 1145-07 that had not submitted a petition.

Alternatives: The Board, after hearing the testimony, may: 1) find the City has provided services in accordance with the service plan; or 2) find the City has not provided services in accordance with the

service plan.

If the Board finds the City has not provided services in accordance with the service plan, the Board, before it can order de-annexation, must consider whether the de-annexation would have an adverse impact on the health, safety and welfare of the residents of the City or of the land being de-annexed.

Financial Considerations: None.

Legal Considerations: This matter is governed by K.S.A. 12-532.

Policy Considerations: None.

Outside Attendees: Representatives of the City and landowners who petitioned for de-annexation.

Multimedia Presentation: