

BEFORE THE BOARD OF COUNTY COMMISSIONERS
MIAMI COUNTY, KANSAS

In the Matter of the)
Petition for Incorporation)
of the City of Golden.)

T R A N S C R I P T

O F

P U B L I C H E A R I N G

held on the 23rd day of June 2021, commencing at 3:00
o'clock p.m., at the Paola Middle School, 405 North
Hospital Road, Paola, Kansas, 66071, before Commissioner
Rob Roberts, Chair, Commissioner Phil Dixon,
Commissioner Tyler Vaughan, and Commissioner George
Pretz.

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1 CHAIR ROBERTS: Thank you for joining us
2 today. Would you please stand and let's say the Pledge
3 of Allegiance.

4 (THEREUPON, the Commissioners and audience
5 recited the Pledge of Allegiance).

6 CHAIR ROBERTS: Please let the record
7 reflect that four of your five commissioners are present
8 for this public hearing. Thank you for joining us
9 today. It's a real pleasure to be a part of the process
10 to review a public filing for a petition for a new city.
11 My name is Rob Roberts. I'm the Chairman of Board of
12 County Commissioners. I'll be presiding over this
13 hearing.

14 The question of whether a new city should be
15 created is very important. It's a decision that, by
16 Kansas law, county commissioners make. State law sets
17 out a procedure the county commissioners are to follow.
18 In considering a petition for incorporation, state law
19 requires the county commission to consider certain
20 factors when making its decision. State law also
21 dictates that, in this case it requires a unanimous vote
22 of the county commission to approve. You might ask,
23 why. The law also states that if there is an existing
24 city within five miles of the requested city, then the
25 county commission is required to have a unanimous vote.

1 There is the City of Edgerton, the City of Gardner and
2 the City of Spring Hill that is within five miles. The
3 county has and will continue to take great care to study
4 and to understand the matter before taking any type of
5 action.

6 We've developed a procedure that maximizes
7 the opportunity to get public input to help us in
8 understanding the pros and the cons of incorporation.
9 What we did, beginning in May and running up until June
10 the 11th, we asked anyone wanting to make comment on the
11 incorporation to send those comments to the county clerk
12 for posting on the county's website so that all would
13 have access to those comments. Anyone, including those
14 who have already sent in their comments, can also speak
15 today before the Commission at this hearing. As
16 explained on the handout that you have in front of you,
17 we are also giving anyone who wants to respond to
18 something they hear at this hearing another week to
19 submit responses to the county clerk's office. Now,
20 what does that mean? Maybe you heard somebody speak
21 here and they said things that you think are good to
22 talk about or maybe you want to disagree with it. You
23 won't get a response today, but we want you to do that
24 in writing to the county clerk's office and put it up so
25 all can see it.

1 State law calls for the county commission to
2 deliberate on this matter after closing the public
3 hearing. Deliberation includes getting input from
4 county officials, from the state government. And we
5 intend to talk with the sheriffs, public works director,
6 county treasurer, county appraiser and other county
7 officials. We will receive -- we have requested a study
8 from the State Department of Commerce as part of our
9 deliberation.

10 As for the hearing today, we want to make
11 sure that everyone who wants to speak has the
12 opportunity to do so. We will need to have time limits
13 for each speaker. The handout explains that anyone
14 speaking on his or her behalf will have five minutes to
15 do so. Anyone speaking on behalf of multiple citizens,
16 the Commission will allot additional time. Speakers may
17 also request extended time from the Commissioners with
18 their approval. Now, if we hit 8 o'clock, because this
19 meeting goes from now until 8 o'clock tonight, and
20 there's still people waiting to speak, we will continue
21 the public hearing until another day. We will not go
22 past 8 o'clock. We published 8 o'clock as our closing,
23 8 o'clock will be our closing.

24 So how will this work? So that everybody
25 understands, we get -- this process, I want to really

1 have a clear understanding of how this is going to work.
2 When you arrived today, the county clerk asked that you
3 sign your name and address and then asked this question:
4 Are you planning on speaking today? You marked that box
5 and that way we would have an understanding that you
6 want to speak. She has those sheets and once we have
7 our Petitioner speak, I will ask the county clerk to
8 call out several names as to the next citizens to speak.
9 We have reserved seats in the front row. So when the
10 clerk calls your name, we would ask you to make your way
11 down, find an empty seat and be prepared to be the next
12 person to speak. She may, in fact, ask for several
13 people to come to the stage so we have opportunities to
14 move the process along and more people can speak. When
15 you come to the microphone, we ask that you give your
16 name, your address, speak clearly. Please do not rush
17 your words as we have a court reporter in front of us
18 making a transcript of what you have to say. And your
19 information is important to us. If you have a written
20 statement, we would greatly appreciate it if you would
21 leave a copy for the county clerk. She has a basket on
22 the stage up here. If you'd just walk by, drop it in
23 once you have had a chance to speak, we would greatly
24 appreciate it if we don't already have it. Should time
25 permit, we will ask if anyone who did not sign up

1 originally to speak and would like to speak, we want to
2 give you multiple opportunities to do so, time
3 permitting.

4 One thing we will ask and insist upon is
5 that we have an orderly productive meeting. Everyone -
6 and I know this will be true, I feel bad even saying it
7 - every person here will show respect to each other.
8 No cat-calling from the audience, no cheering for your
9 best friend, no cutting down just because they say
10 something you may not agree with. So let's have some
11 polite conduct. When you hear somebody say something
12 you don't agree with, be respectful. Please don't speak
13 from the floor. If you have something to say, wait your
14 turn, come to the microphone and let us hear what you
15 have to say. Please, as noted on the handout, we ask
16 you to address all of your comments and your questions
17 to the Commission. You're not speaking to the masses,
18 you're speaking to us. The four of us have to make this
19 decision. So make your comments and questions to us.
20 Be aware that we'll be taking breaks during the
21 five-hour hearing. I don't know about you but sitting
22 five hours will be a long time. So there will be a few
23 breaks during this process.

24 Anyone who has read the public notice, this
25 handout or has looked at the handout you received here

1 today knows the state law identifies 14 factors that the
2 County Commissioners shall consider. The Commission has
3 added a couple of its own factors as well. And we will
4 listen to and consider anything you have to say that
5 might help, even if, even if what you say does not fit
6 clearly into one of those 14, 16 factors, because
7 something you say might actually trigger us to give
8 consideration to. The County Commissioners have the
9 right to add factors to it.

10 Just please understand this county will
11 follow the law and will conduct ourselves in its
12 deliberation around those factors. We will not be
13 making a decision today. The decision will be made
14 weeks or maybe months ahead. We will need time to get
15 the responses to what is said today, time to have a
16 transcript prepared and studied, time to organize all
17 the input from the public, input from county and state
18 officials. I cannot tell you when the County Commission
19 will start its deliberations. We will move forward in
20 an orderly fashion. Our deliberations will always be
21 held in an open meeting and public notices will be given
22 as required by law. Please sign up for the county's
23 website to receive notices of upcoming meetings.

24 Allow me now to take a moment and introduce
25 those who are on this stage. Maybe some of you have no

1 idea who these people are. I'm going to start to my
2 left: Our county administrator, Shane Crow. Right
3 behind us on the left is, your right, is the county
4 clerk, Janet White, and Casey is one of her clerks. To
5 my left is County Commissioner Tyler Vaughan,
6 representing the Spring Hill District. I have
7 introduced myself, Rob Roberts. To my right is Phil
8 Dixon representing the Louisburg area's County
9 Commissioner. And if you don't know George Pretz by
10 now, oh, yes, everybody knows George Pretz. He's the
11 County Commissioner from Osawatomie. Everybody in the
12 county knows George. To my right at the table is Jim
13 Kaup, the Commission's attorney on this particular
14 matter. Sheila Schultz is a well-known attorney in
15 Miami County. She has been our current -- just
16 predecessor county counselor. And let me introduce our
17 new county counselor, Sheila (sic) Woodard, who's just
18 come on staff in the last couple of weeks.

19 Do me a favor. Give everybody a round,
20 would you? (Applause). So, again, thank you for being
21 here today. I'm not finished at this point. I have
22 more to do.

23 Okay. Now, this is a little housekeeping.
24 If you have a phone, which something tells me everybody
25 in this room has a phone, please silence it. I don't

1 want to be the guy that says, could you turn your phone
2 off, please. Okay. This is for safety purposes.
3 Please familiarize yourself with the emergency exits.
4 Who knows if something terrible would happen and we need
5 to evacuate this building. There are exits on your
6 right and left in the back and on the right and left in
7 the front. Follow the hallway, there is a door taking
8 you right outside. Also restrooms are in the lobby
9 where you signed up, ladies and gentlemen, just right
10 out in the lobby, just FYI.

11 So right now we have a few words from the
12 Commission's attorney, Mr. Kaup.

13 MR. KAUP: Thank you, Mr. Chairman. Can
14 everybody hear this okay? First of all, obviously, the
15 county has determined that a Petition For Incorporation
16 that was brought forward earlier this year is
17 sufficient, meaning it does meet the technical
18 requirements of state law and, consequently, has been
19 accepted by the county and we've moved into the public
20 hearing stage. As the Chairman said, you have in your
21 handout the basic rules that the Commission is going to
22 follow in conducting this hearing. I want you to know
23 that the rules were prepared in as straightforward a
24 fashion as possible in order to achieve the ability for
25 anybody who wants to say something tonight to have the

1 opportunity to do so.

2 Okay. There are a couple points that I want
3 to make regarding what I'm going to call some
4 misunderstandings that have shown up in multiple e-mails
5 and other postings on the county website. First of all,
6 there is some apparent confusion regarding the factors
7 that state statutes say the county commission shall
8 consider - shall consider - when considering an
9 incorporation petition as opposed to those factors that
10 Kansas courts have said that the county commission
11 should consider when deciding on rezoning of property.
12 These are two very distinct sets of factors. They apply
13 to two very different roles the county commission plays.
14 My hunch is that the confusion is due to the fact that
15 the rezoning factors that came from a 1975 Kansas
16 Supreme Court case, the case was *Golden v. The City of*
17 *Overland Park*. But the court-made factors in that
18 decision are guidelines for the county commission to
19 follow in order to make a reasonable decision on the
20 proper zoning of land applicable to individual
21 site-specific parcels of land. By contrast, the state
22 legislature, by statute, the statutory factors that are
23 on your handout are a mandate for the county commission
24 to consider when dealing with an incorporation petition.
25 So what the County Commission shall take into account

1 when it decides whether a new city should be created
2 will include those 14 factors that are set out in state
3 law. As noted, we also have a couple other factors that
4 have been identified. And all of these have been
5 published in public notices published here recently.
6 But those are the factors that the County Commission has
7 to consider in the course of its deliberations on the
8 question of incorporation.

9 Second, there have been a number of postings
10 on the website that suggest that some folks believe that
11 incorporation should be decided by a vote of the people.
12 If the legislature had intended for incorporation to be
13 a matter of popular vote, it would have passed a law
14 that says so but they didn't. Instead, they set out a
15 fairly detailed set of statutes that the county
16 commission is to follow, including a public hearing,
17 including those factors that we just talked about. I
18 believe that ever since statehood, the job has been
19 handed from the state to the county government to decide
20 on incorporation questions.

21 Third, there has been some suggestion that
22 the timing of this hearing was put off in order to
23 accommodate opponents to the Petition. And that's
24 simply not true. State law sets out a time frame by
25 which time the Board of County Commissioners have to

1 hold a hearing following the submission of a petition
2 and determination that it is sufficient. It's
3 fundamental due process to give all sides adequate time
4 to prepare for a hearing. That is what has happened
5 here. This hearing has been scheduled in accordance
6 with the statutory time frame.

7 Finally, I want to make sure you're all
8 aware that you have a five-member county commission but
9 one of the commissioners has recused himself.
10 Commissioner Gallagher has recused himself from this
11 hearing and any consideration of incorporation. The
12 Commission was concerned that certain relationships he
13 has with people who have publicly stated their position
14 on incorporation could result in questions or even
15 unfair allegations that he would not be impartial. So
16 rather than risk any perception that this Board's
17 ultimate decision is not fair and unbiased, he
18 reluctantly recused himself.

19 Commissioners and Mr. Chairman, the last
20 thing I want to do right now is I want to ask each of
21 you, for the record in this proceeding, will you declare
22 that you're able to make an objective determination as
23 to the advisability of incorporation based upon your
24 understanding of facts, free of any personal interest
25 and without prejudice, bias or judgment? Commissioner

1 Vaughan?

2 COMMISSIONER VAUGHAN: Yes, I do.

3 MR. KAUP: Commissioner Dixon?

4 COMMISSIONER DIXON: Yes.

5 MR. KAUP: Commissioner Pretz?

6 COMMISSIONER PRETZ: Yes.

7 MR. KAUP: Mr. Chairman?

8 CHAIR ROBERTS: Yes.

9 MR. KAUP: Those are my comments, Mr. Chair.

10 CHAIR ROBERTS: Thank you, Mr. Kaup. What's
11 next? Testimony time. First up for us, and I'll say
12 that the Petitioner, Jennifer Williams, and whomever she
13 is having speak for her, we have allotted 30 minutes.
14 Right after Ms. Williams finishes, Darcy, you'll be
15 representing a group of citizens, you'll be up.

16 So, Ms. Williams, or whoever it is that's
17 going to speak for you, you're the first one on our
18 testimony list. If you'll come to the microphone, give
19 us your name and your address, and then you can share
20 with the Commission whatever you want.

21 MS. JENNIFER WILLIAMS: All right. My name
22 is --

23 CHAIR ROBERTS: The microphone's on-and-off
24 switch is right here down at the bottom. I have a
25 professional coming forward. For your info, the

1 Commissioners may have questions for the speaker,
2 whoever the speaker is, as we move along, even if we're
3 allowing obvious extra time for the Petitioner because
4 it is a very important process. But when it's your time
5 to speak, the Commissioners may stop and ask a question
6 that may have some clarification. (Microphone feedback).
7 Now tell me they don't deserve a round of applause.
8 (Applause).

9 Jennifer, I'm sorry. Please proceed.

10 (THEREUPON, an off-the-record discussion was
11 had).

12 CHAIR ROBERTS: Because it's being recorded,
13 we want to make sure we hear everything you're saying.
14 Actually, Jennifer, just take it out of the --

15 MS. JENNIFER WILLIAMS: My name is Jennifer
16 Williams. I live at 21993 South Moonlight Road. And I
17 just want to thank you for this opportunity. This is a
18 really exciting time for a lot of people and I just am
19 really appreciative, for all of us, the time that you're
20 giving us and just the experience, the transparency and
21 everything. It's been really wonderful compared to what
22 we've come from in the past.

23 And so just a little bit about what started
24 this. I live close to 215th Street. So I see this
25 coming a couple of years back. In 2019, we saw an LP

1 rezoning coming up and we showed up, several people, to
2 dispute it. The Johnson County board, or the southwest
3 board at that time, had said that it was not
4 appropriate. Actually Johnson County said it was not
5 appropriate but the southwest board actually voted for
6 it and said property rights. And when I said, this
7 isn't right, we shouldn't do this to the people, the
8 people have property rights too, I was told, well, by
9 the time this -- and I said, you can't turn it to LP.
10 You're going to set a precedent for the rest of the area
11 if you were to do that right now. And we already knew
12 that 650 acres was owned by an outside developer for a
13 potential future warehouse but it just didn't have a
14 connecting link yet. It did not have contiguous land.
15 And so we were concerned the moment an LP was given at
16 the county level that that would set a precedent for
17 future. And so we fought that and eventually we did
18 win. But the people at the southwest board, including
19 some neighbors in our boundaries, voted for the LP
20 rezoning and claimed, we need to let this property owner
21 have the right to do this because by the time that it
22 comes down for an LP rezoning for Logistics Park and
23 warehouses, the county is never going to see it.
24 Edgerton is going to annex and everything will go
25 through Edgerton from then on out. And I said -- they

1 said the train has left the station. That's what they
2 told us. And I said, well, we don't need to lay down
3 this soon and just give up, there's things we can do.
4 You can't annex if it's an existing city. At that time
5 we were talking near 199th and 215, in that range on the
6 Johnson County side.

7 So we said, what if Gardner came down and
8 helped saved those people? Well, if they couldn't get
9 there or didn't want to. We said, what if we started a
10 city to where we can seal up this border so that it
11 can't continue this inappropriate infiltration into the
12 rural residential neighborhood? And that was in 2019.
13 The LP rezoning was denied eventually after a couple of
14 trips to the county, and that was that. Well, we didn't
15 hear anything else about it again until December of 2020
16 when everybody started getting their rezoning notices.
17 It was no longer an island annexation. They now had
18 that narrow corridor that connected them. And so it
19 went into the Edgerton city limits. It immediately,
20 after a lot of disputes, became rezoned for the
21 Logistics Park.

22 And so during that time, simultaneously,
23 before they even made a decision, when it came back up
24 again in December, it also brought up the idea of a city
25 again. So while the hearings were going to the north,

1 before we even knew where those were going to go, we
2 started looking as a group of residents on the Miami
3 County side and said, we can stop this; our area is too
4 beautiful; it is too important for environmental; it's
5 our right. And so we wanted to find out what we could
6 do to seal up that border so that it put the decision
7 back in the hands of the residents. And so I called a
8 lot of the big landowners in the area. I didn't know
9 all of them but I called a lot of them. And they all
10 said, I want to know more; I don't want warehouses. And
11 so I said, all right, you know, you guys were here
12 first. I'm not trying to take over. I'm just saying
13 I've got an idea that can stop this so the people can
14 have a choice in the future and not outside development.

15 So I called a lawyer. We proceeded forward,
16 got the petition, the first set with signatures. Some
17 people mentioned the name Antioch. I asked the county.
18 They said, no, that was never a city so that's not going
19 to be revived. At that point I said that is not my name
20 to bring forth. I have no rights to that. That's
21 important to a lot of people that have a heritage here
22 and that's their name. So it wasn't mine to use. And
23 so we started with Golden just based off of the golden
24 rule and the Golden criterion that we've been fighting
25 that's supposed to be what's good for the people and the

1 residents. And the whole purpose of this is what's good
2 for the people. And so we proceeded, we got our
3 signatures. The minimum that we needed was 50.
4 Obviously we kept going until we got at least the 250 to
5 show we at least had that population as well. So it
6 made it easier for the county figuring that out. And we
7 got that turned in. And so before something could go
8 awry and thwart those plans, the county knew about it.
9 It's kind of hard to notify 300 people all at once.
10 Somebody is the last person to find out. Unfortunately,
11 we did the best we could to notify but there still was
12 some strategic in there that we wanted to make sure that
13 the development didn't find out what we were doing and
14 encroach on our boundary and stop the whole plan. So it
15 was strategic as well. So we worked through that.

16 During that time, what we found out is,
17 although we all have a like mind, we want to be in the
18 country, we want to be left alone, we all love our place
19 and we all want to preserve it and we all want to have
20 the opportunity for having a vote in the future where
21 that goes. So during this time, it was a coincidence
22 that the Miami County Comprehensive Plan was being
23 written. And we were hearing what we'd already heard
24 for the north, that there is nothing that the county can
25 do to stop it. Comprehensive plans are only a

1 suggestion, they're not legally binding. We were told
2 in our fight to the north, you are unincorporated land.
3 You are a holding designation waiting for development.
4 I said, we're not a holding designation, we are a way of
5 life. But what we're finding is that, unincorporated,
6 we don't have the freedoms and protections we thought we
7 always had. We're vulnerable. So, for us, a lot of
8 people don't like to hear the word, city, because it
9 sounds like outsiders coming in and doing something.
10 But it's -- the true term of the city, it's, we, the
11 people. It's our vote and our voice. The people voting
12 for the taxes or voting for the developments for the
13 people that live here. And that's the purpose of
14 America.

15 And so the whole movement is designed so
16 that we can actually have representation in this part of
17 the county. We don't have representation when it comes
18 to this topic. We're not saying we don't like anything
19 the county has ever done for us. We're your friends.
20 We want to work together with you. We're not trying to
21 take something from you. We've just been told you have
22 no authority in this matter. And so when the citizens
23 can step forward and say, we do, and we would like to
24 exercise those rights in order to protect the future for
25 everybody, not just the citizens that live here but the

1 entire Hillsdale Lake and all the development that can
2 come in the future. We are not against development.
3 We're against inappropriate warehouse development
4 infiltrating our neighborhoods to where we all have to
5 leave because nobody wants to live by that, where the
6 trucks become dangerous, where the runoff floods our
7 land, where our children can't play outside safely
8 anymore because of all the traffic. So we're trying to
9 use the law in our favor that's been used against us to
10 date.

11 So if we can exercise our rights under the
12 law so we can seal this up, we can have that
13 representation, we can work together as a city. We can
14 work together as a people with the county. Golden is
15 designed to be a good thing. Rural residential property
16 is at a premium. People are leaving the city. There's
17 not enough inventory. Making it all go away and just
18 making people go further and further south to live
19 outside the city is ridiculous when we already have this
20 asset here that we should be preserving. And that's
21 what Golden will do. So the large land owners, if they
22 want to develop some day, they can make more money doing
23 residential neighborhoods instead of just selling out to
24 one big guy at one time in one shot. Everybody wins.
25 This whole movement is not designed to hurt anybody.

1 It's not meant to harm a single person. Everything that
2 comes from this can be good for everyone financially,
3 mentally, emotionally, everything. And it can preserve
4 what we have.

5 And so, as you listen to everyone today, I
6 don't want to keep talking. There's plenty of people
7 here that have their story to share and I want them to
8 be able to come forth and say what's on their minds. I
9 just, again, want to thank you.

10 The taxes are what people are scared of
11 because that opposition came out and told them some
12 stuff that's not true. There's no way we have to spend
13 \$750,000 a year on taxes. And it's really not fair when
14 we had a lot of people behind this because they
15 recognized how good it could be. Golden -- we can all
16 be Golden. Once we get this sealed up, the property
17 values will go up, the county will improve as a whole.
18 But when people are being told, you're going to have 2
19 to \$10,000 a year extra in taxes, and now they're
20 getting scared.

21 I think where everybody is sitting now, they
22 want to hear from you guys. And I know you can't do
23 that yet. I know right now it's your turn to hear from
24 us. But at the end of the day, I think there's some
25 people that ended up signing that, had they known it was

1 only going to cost them 2 or \$300 a year for this
2 insurance policy to protect their future, they wouldn't
3 have been afraid of this. And had they known they could
4 have the chance to develop some stuff down the road,
5 they wouldn't have been afraid of it. So I want you to
6 listen with an open mind. And I just want to thank you
7 again for this opportunity.

8 Anybody that I made mad - I know I'm not
9 supposed to talk to you but I want it on the record - I
10 didn't try to make anybody mad. I'm not a city girl
11 coming in here trying to make a city. We're not trying
12 to do Overland Park or Mission or anything. We're
13 trying to protect the rural life-style that we all love.
14 Thank you all very much. (Applause).

15 CHAIR ROBERTS: Thank you, Jennifer. Is
16 this also your spokesperson?

17 MS. WILLIAMS: This is my attorney.

18 CHAIR ROBERTS: In just a few moments,
19 Jennifer, we'll have some questions from the
20 Commissioners.

21 MR. BRYANT PARKER: My name is Bryant
22 Parker. Originally I was a hired consultant for
23 Jennifer. I'm an -- I'll give you a little bit about my
24 background, try to keep that to about 30 seconds. It
25 will help you understand why I'm involved. Rapidly, the

1 services they needed to help put this together, I said,
2 I'm not going to charge you for any of this. So I'm
3 more of a volunteer. I'm a real estate development
4 attorney by trade. I'm also a sixth generation Kansans
5 and a fifth generation Kansas public servant. I used to
6 be a city attorney. That's where I learned this area of
7 the law. My father was a city attorney his whole
8 career. My mother is still an assistant -- no, she just
9 got promoted to deputy county counselor Sedgwick County.
10 By the way, I do want to apologize for my appearance.
11 My doctor changed my medications and I have been ill the
12 past few days. So I apologize. I didn't want to
13 disrespect the Board. But I do want to very quickly --
14 I give you all of that, and without sounding pompous,
15 people call me an expert in this area of law. I grew up
16 representing suburbs outside of Wichita, worked for the
17 City of Manhattan. In addition to law school, I have
18 advanced education including a PhD from the University
19 of Kansas in commercial and residential development. So
20 I'm involved because Jennifer said that there was this
21 group of citizens that wanted to have a voice in their
22 government and specifically how they developed. And so
23 I helped with the Petition and I've also answered
24 questions along the way.

25 I want to be respectful of our time so I'm

1 just going to jump into a few substantive issues. You,
2 as a Board, have correctly stated the 14 factors plus
3 two additional factors which you would consider. And I
4 think I have quite a bit of color to add to that, that I
5 think would be useful to the governing body. I have
6 actually prepared, knowing that you wouldn't be making a
7 decision tonight, but with the understanding that you
8 would be considering these factors and then moving
9 towards a vote at subsequent meetings, I have prepared a
10 draft governmental services agreement. It's the same
11 thing as an interlocal agreement, only, when you're just
12 dealing with governmental services, you don't need to
13 have an interlocal agreement. It can work as one. And
14 if we get down the road and you guys decide that this is
15 something that you want to approve, then this is what we
16 as the people that are behind Golden would be submitting
17 for your consideration. And I've made several copies
18 that would be handed out to you. I submit it formally
19 for the record. I'm going to keep one just for me so I
20 can talk from it. It's short, it's three pages long,
21 and it says the following things.

22 It says that until Golden develops, and I
23 define what development is. All right. Development is
24 anything above placing a few large-lot residential
25 homes, like we would see generally out in an

1 unincorporated area. Right. I put a number in there of
2 25 in total for the entire 10-mile, 10 square mile area.
3 That's subject to negotiation. It could be whatever the
4 Board sets. That activity is allowed to happen because
5 that's not substantially materially different than
6 anything that has happened to date out there. While
7 that goes on, the City of Golden would -- these are the
8 terms we would hope to strike with the County Commission
9 because the taxes currently being charged are already
10 adequate to provide the level of services there that are
11 currently being provided for development. As it sits,
12 there wouldn't be a charge to Golden. However, once
13 there is a decision to substantially develop any
14 property within the boundaries of Golden, then the city
15 would have to come to you and either, A, negotiate what
16 is the increased cost for both street maintenance --
17 there's three biggies that I think about at the county
18 level for Miami County: Street maintenance; permitting
19 approval, that's something we don't want to forget about
20 because you all have building permit requirements; and
21 law enforcement. Those are the three things at the
22 county level that I'm concerned about added costs with
23 development for.

24 The minute that a true development happens
25 within the city's boundaries, one of two things happens.

1 Either at the city level, when they approve it or as a
2 condition of its approval under this agreement, the city
3 has to negotiate with the county what are the increased
4 costs associated with that development, and then
5 compensate the county for those increased costs. And
6 they would do that via mill levy just like every other
7 city throughout the Miami County area handles it.
8 Right. We would not envision at this time the city
9 developing, right off the bat, its own street
10 maintenance department. There's no need for it. It
11 will be less efficient than the county continuing to
12 offer those services.

13 The other alternative, and this is rather
14 innovative under Kansas law, is, let's say the city
15 itself has not decided that it wants to embrace
16 development broadly throughout the city's borders but
17 there's an individual property owner, large parcel
18 property owner that says, I want to come in and I have a
19 vision for a true residential subdivision. Then we
20 would say, as part of the platting process, that's fine,
21 form what's called a community improvement district.
22 And community improvement districts, under Kansas law,
23 are empowered to levy taxes. It happens all over the
24 state. They are empowered to levy taxes, including
25 sales tax, if there was commercial development that was

1 there, to pay for governmental services. They are
2 generally envisioned to be used in redeveloping areas.
3 But the state law was specifically written so they would
4 be available in this circumstance to pay for additional
5 public service costs that are not captured by existing
6 mill levies.

7 So those are two options and they would be
8 presented in front of the governing the body. The
9 governing body can make a decision, well, now is the
10 time we want to transition into being a true
11 full-fledged governmental service provider and move
12 towards a robust mill levy in order to keep the lights
13 on and have a functional printer. Or they can say,
14 well, we're going to continue to empower our large lots
15 that we wish to develop individually and provide them
16 the mechanism to receive county services but also
17 provide a mechanism so that the county is receiving
18 every dollar and cent that they need to pay for those
19 services. I think this is a great model. I don't see,
20 I don't see an unbudgeted-for burden coming out of any
21 county department if this is the agreement that we
22 struck. And I think it speaks directly to the points 15
23 and 16 that the governing body has identified.

24 The last thing I want to point to -- and I
25 know I've still got several minutes but I'm sure you'll

1 have questions. Why is this necessary instead of just
2 leaving the status quo as it is? You know, allowing the
3 county, at a county level to approve planning, to
4 approve plans that come to it, rezoning requests,
5 etcetera, etcetera. I can tell you that I have
6 personally represented, both at the county level and
7 more at the city level, governments that have gone
8 through that process for decades. It is not designed,
9 and more importantly, it's not capable of giving true
10 voice to what the residents desire. And let me explain
11 why. When you do a comprehensive plan at the county
12 level, you've got to look at -- how many square miles is
13 Miami County? You don't know? It's a bunch. Right.
14 You get, at the county plan level, you're looking
15 globally not just at the needs of northwest Miami County
16 but all over. So that's the first huddle -- first
17 hurdle.

18 The second hurdle is, whenever you have a
19 developer that comes in, and I don't care if it's for a
20 residential development, if it's for a commercial
21 development or industrial development, it's irrelevant
22 what type of development it is. You're going to have a
23 certain group of people that, because they've received
24 information or they have opinions either way, they're
25 just going to be against it. It doesn't matter what it

1 is. And that's a problem. And the reason why it's a
2 problem is, when it comes in front of your planning
3 commission and when it comes in front of you as a
4 Commission, all you're going to hear, if you don't have
5 a city level planning process that's unique to that
6 specific region, every development proposal that comes
7 in front of you is going to have criticism in front of
8 it. And you won't -- you could spend hours, days, on
9 each individual project trying to discern whether this
10 criticism is as a result of, oh, this development is
11 really taking us in a way that the city -- the area as a
12 whole, not a city -- the area as a whole does not want
13 to go. Right? Or if it's just a group of citizens that
14 may not have all the facts and maybe they don't reflect
15 what the greater community will is because you don't
16 have an organization as a city to plan. Because you
17 don't have that, you won't have that conglomerated
18 community voice. You also don't have an organization
19 that is communicating to developers, okay, for these 10
20 square miles, this is what we think our plan is. That's
21 the first thing that Golden's going to do.

22 And I will leave you with -- I don't want to
23 say it's a history lesson but it's instructive of how
24 cities are formed, not just in Kansas but all over the
25 country. There is a misconception. And I would -- I

1 can give you all kinds of examples even within a
2 hundred-mile radius of here that when you start a city,
3 that city is prepared to provide all municipal services,
4 like that (snapping fingers). That's not how it works
5 anymore. What was the -- how did most of our cities
6 throughout Kansas start? Well, they were water stops
7 along the railroad. I don't care if it was the Rock
8 Island, the UP, whatever railroad was going through, it
9 was a water stop. It was also a co-op most of the time.
10 The first thing that happened is, when the railroad
11 decided they needed a water stop, some railroad official
12 or someone affiliated with the railroad said, oh, we
13 need to plan a settlement of people here because we know
14 it's going to happen eventually. We don't know how big
15 it's going to be yet but we know, based off urban
16 economics and how railroads work, that there will be a
17 settlement of people. That's happened out of the
18 620-plus cities that were formed in the State of Kansas,
19 I would wager more than 550 of them were formed in that
20 way. When those cities were incorporated around the
21 1870s, 1880s, they didn't have a city police force.
22 There were laws on the books that allowed cities of the
23 third class to marshal people if they need to for public
24 works and events. We're a little beyond that but this
25 is what it looks like in the 21st century to bring a

1 city forth and take a rational look at it and say, we
2 want to empower the people in this group to determine
3 what their future is. And if you don't have that,
4 what's going to happen, and I'm sorry, but how it's
5 going to work is piecemeal, like a checker board.
6 You're going to have development interest from the north
7 come down. It's a function of land economics to stay
8 between 1 and \$2,000 an acre, right, on land that's
9 south of the Miami County border. And then it will
10 develop. Well, I can tell you what that will look like.
11 And it's not because I'm a prophet. It's because I used
12 to represent the Oaklawn Improvement District. If you
13 want to understand how infill development occurs around
14 large-lot industrial that has a service life -- and it
15 will end at some point, the land economic cycle. These
16 things are cyclical. You start looking at tax base now.
17 The industrial land, it's going to be worth the most
18 that it's ever worth at the front end and kind of on an
19 arc. Right. And then you run into a whole bunch of
20 problems. And go look at the Oaklawn Improvement
21 District. It's some of the hardest, most intractable
22 property that Sedgwick County faces. They can't even
23 find a city that wants to take on that land and that
24 responsibility. That's why they're still an improvement
25 district. No city will annex them. Because then they

1 would have to provide public services into what's
2 basically a black budget hole because the properties are
3 run down and there's no money for replacing things.

4 So I say all of that to say this: By
5 empowering these citizens to determine what their future
6 is going to be, you're preserving your tax base. You're
7 also saving yourself a ton of headache down the road
8 because you will have the next 20 years of development
9 in northern Miami County will be unimaginably combative
10 if you don't do this. And all you're going to have is
11 hacked-off citizens over and over and over again. So
12 with that, I leave you. Please ask questions if you
13 have any.

14 CHAIR ROBERTS: Do any Commissioners have
15 any questions of either speaker? Mr. Vaughan.

16 COMMISSIONER VAUGHAN: I just have a few
17 clarifications for Ms. Williams. In your comments, just
18 for clarification, you stated that it was no coincidence
19 that the comprehensive plan was done at the same time.
20 I just wanted to clarify that it absolutely was a
21 coincidence.

22 MS. JENNIFER WILLIAMS: Oh. I meant
23 divinely. Sorry. Thank you. Yes.

24 COMMISSIONER VAUGHAN: And then you'd
25 mentioned a 200 to \$300 per year insurance policy for

1 the residents. Can you elaborate on that?

2 MS. JENNIFER WILLIAMS: So based on the
3 current projections for a mill levy, some residents will
4 see about 80-\$90 a year. One of my neighbors across the
5 street that owns a couple houses, I did the math for him
6 and it's only going to be about \$300 for him and that
7 includes the 80 acres and both houses. And so the
8 insurance policy means -- he backs up to a field right
9 behind him, a couple hundred acres, I don't have the
10 math -- but it's a pretty cheap insurance policy in the
11 scheme of things to make sure that you're not getting
12 all that runoff from that warehouse behind you and
13 everything changes because we happen to be right at the
14 border. So thank you.

15 CHAIR ROBERTS: Other Commissioners?

16 COMMISSIONER PRETZ: What mill levy are you
17 figuring?

18 MS. JENNIFER WILLIAMS: Based off of the
19 original projections that Bryant had given us, we're
20 estimating based on a 3 mill levy. That would give us
21 approximately 42 to \$43,000 a year to help cover our
22 bonds, our insurance policy. We don't have to have a
23 city hall. There's no reason to at this point. So we
24 don't have those expenses. We won't have a staff.
25 Anything above and beyond that would go back to the

1 interlocal agreement on the roads. At that point I did
2 do a KORA request that I saw you put on the record. And
3 based off those numbers, it still fits under our 3 mill
4 levy. But I know that there's going to be some things
5 that probably wasn't included in that. And I know that
6 JR McMahon is the expert on that so he'll have all the
7 numbers to know what that number will need to be.

8 CHAIR ROBERTS: Any other questions? I
9 thank you both.

10 MS. JENNIFER WILLIAMS: Thank you.

11 CHAIR ROBERTS: Do you have an idea about
12 how much time we allotted?

13 COUNTY CLERK WHITE: Yes. That was 14
14 minutes. And previously when she talked, I wasn't as
15 good on that because we were trying to find -- but I'm
16 going to guess about 10.

17 CHAIR ROBERTS: Mr. Darcy, you have the mic.
18 I'll ask the clerk --

19 MR. DARCY DOMONEY: May I use this?

20 CHAIR ROBERTS: The mic's over there. We
21 want to give you the same equal amount of time. Darcy
22 Domoney is a local attorney. And I'll let you tell us
23 who you represent or what group of people you represent.

24 MR. DARCY DOMONEY: Yes. My name is Darcy
25 Domoney, 18 East Wea Street, Paola, Kansas. I believe

1 that a booklet has been provided and I'm hopeful that
2 each one of you has a copy of it. So we're good to go
3 on that.

4 To be clear, I'm speaking for a number of
5 Miami County citizens who are opposed to the formation
6 of the city. And at this point, I know -- I believe I
7 have 15 minutes, and I would like to request an
8 additional 10 if that would be allowable.

9 CHAIR ROBERTS: It's granted.

10 MR. DARCY DOMONEY: I may not use it but
11 somebody give me the high sign if I'm getting close,
12 please.

13 CHAIR ROBERTS: Yes, sir.

14 MR. DARCY DOMONEY: The first thing I want
15 to ask you to do is to open up that booklet that's been
16 provided to you. Three or four pages in, there is a
17 fold-out map. If you could fold that out, please, and I
18 want to give you some direction on that and explain it.
19 It's pretty simple. The red boundaries that you see on
20 that map are obviously the boundaries of the proposed -
21 I see the word, territory, sometimes used - but proposed
22 city. We know what we're talking about. The people I'm
23 speaking for are those that are opposed to this city and
24 their land is highlighted in green on that map. Now,
25 following the map there, and a couple pages back, you'll

1 see, I believe, 10 signature pages. Over a hundred
2 taxpayers have signed to oppose the city. Now, we're
3 not talking about renters or tenants or voting-age
4 children that are living at home. We're talking about
5 taxpayers on those 10 pages. I think there might be as
6 many as 111 signatures on there. There is opposition to
7 this city. And I'm speaking for those people.

8 Now, you'll also see that there is green
9 highlighted areas that are outside the red boundaries of
10 the proposed city. Those folks have also signed this
11 petition. They're within the 111 signatures that you'll
12 find there. What I want to tell you is that I believe
13 that the Petition indicates there is about 5,400 acres
14 within the red boundaries. The green areas that are
15 highlighted that are opposed to this city constitute
16 nearly 3,000 of those 5,300-5,400 acres, a substantial
17 amount. The green highlighted areas of those opposed
18 that are outside the red boundaries but have to be
19 worried about annexation and so forth and what goes on
20 or what might go on within this city, that's another
21 1,300 acres of folks that are outside the red, in the
22 green, who are opposed to this city. So, members of the
23 Commission, we're talking about 4,300 acres of folks
24 that are either inside the proposed territory or just
25 outside, adjacent or very near to the proposed city.

1 Now, I know this isn't a popularity contest. I know
2 that we're not taking a formal vote. We're not even
3 taking a straw vote on whether this city should be
4 incorporated. Mr. Kaup has outlined state law. I think
5 we all have become more educated than we ever were on
6 what it takes and what you folks are to consider. But I
7 do want you to know there are people who are opposed to
8 this. So when it's stated that the will of the people
9 is that this city be formed, there is opposition. And
10 there is Kansas case law out there that, even if isn't
11 opposition, you have to look at the factors and decide
12 what's in the best public interest. I understand that.

13 My folks that are opposed to this, they are
14 not for or against, necessarily, warehouses or
15 commercial development. What they're for is individual
16 property rights. They own real estate. They want those
17 property rights to be preserved just like they are
18 today. They do not want to have another layer of
19 government telling them what they can't do, what they
20 can't do on their property and with their property,
21 selling, leasing, use. They're willing to comply with
22 whatever the zoning regulations are now, the
23 comprehensive plan of Miami County.

24 Now back to the booklet. Toward the front
25 there, you'll see that there are, I believe, eight

1 points that are numbered 1 through 8 towards the front
2 of the book and I think at the very front actually. And
3 I'll highlight those briefly but they're in writing. So
4 there they are, you can go through them. From our view,
5 there is no coherent business plan that exists for this
6 city. There's one goal that's very clear. One goal.
7 And that's to stop Logistics Park and commercial
8 development in this area of northern Miami County.
9 Edgerton is painted as bad, warehouses are bad,
10 commercial development is bad and everything else is
11 great. My folks aren't that single-minded in opposing
12 this city. They feel that, if Golden's formed, this may
13 be a missed opportunity for Miami County as a whole to
14 have a commercial tax base. And anybody that's spent
15 any time looking at mill levies, looking at tax
16 collection knows that commercial businesses contribute a
17 tremendous percentage and, potentially, a tremendous
18 percentage to the county budget.

19 The fourth point there is that there is just
20 no clearly-stated benefits that have been advanced for
21 persons to become part of the city. As I've stated
22 before, the citizens that I'm representing don't want
23 further restrictions on their property rights.

24 Bullet point 6. This is a dangerous
25 precedent. We -- if a city is allowed to go into

1 northern Miami County for a single purpose, there may be
2 several other areas of our county that may want to form
3 a city. And then we'll just have cities all over the
4 place.

5 UNIDENTIFIED MEMBER OF AUDIENCE: What's
6 wrong with that?

7 MR. DARCY DOMONEY: Which is not for in the
8 best interests of Miami County. A dangerous precedent,
9 not good for the whole of Miami County. As far as the
10 budget goes, you know, it's anybody's guess, I suppose,
11 as to what the eventual mill levy is going to be here.
12 My experience is that things always cost more than what
13 you expect. And I'm sure, sitting where you are, you
14 know that better than anyone, in running our county.

15 But we have included in the booklet a
16 comparison to the City of Linn Valley, Kansas, that was
17 formed, I think, about 20 years ago, maybe 22 years ago.
18 Comparable in several ways. You can see the
19 population's listed there, if you're on that page.
20 Estimation of operational cost to Golden. You can see
21 that at this point in time, the budget for Linn Valley,
22 Kansas, the last three years, has been anywhere from
23 541,000 to \$687,000, total, to provide the services that
24 they're providing. So maybe the mill levy starts out at
25 three, it doesn't appear likely that it would stay

1 anywhere close to three. And we don't believe --
2 although we haven't studied it in total, I know you will
3 be to some extent. It depends a lot on what county
4 services you provide to this city for free. It really
5 does. But my folks trust Miami County. They trust the
6 Commissioners, the planning commission, the zoning
7 department to make the right decisions for them.
8 They're comfortable with the decision, decisions you
9 have made and comfortable with trusting you with the
10 decisions to go forward.

11 When you get beyond the two pages that
12 compare the City of Linn Valley to this proposed city,
13 you get to the summary page. And simply put, the people
14 that signed this petition don't want to live in a city.
15 They chose not to live in a city. They don't want to
16 live in a city next year or the year after or 10 years
17 from now. They just don't want to. They don't want the
18 burden of city ordinances and regulations. They don't
19 want to be burdened with the costs associated with
20 infrastructure and they don't believe the cost/benefit
21 ratio is favorable to them. They don't want another
22 layer of government.

23 I've looked over some of the comments and so
24 forth that have been submitted to the Commissioners to
25 date. I've reviewed them. It seems that there is this

1 perception out there that there is a perfect fit for
2 this area, this 5,400 acres of Miami County, and
3 everybody is going to agree. Everybody is going to be
4 on board. It's just going to be perfect. Well, that
5 would be a rare situation. There are going to be
6 differing interests. There are going to be mayors come
7 and go. There's going to be city council people come
8 and go, if this city's formed. And who knows what their
9 agendas may be in the future or what they may or may not
10 allow to occur within this proposed city. As far as any
11 warning about having moved to this part of northern
12 Miami County, I believe that the comprehensive plan of
13 Miami County, for quite a few years, has identified most
14 of this area as intermodal facility potential area of
15 impact. You kind of knew what you were getting into if
16 you purchased land and/or built a house in this area. I
17 believe the county, as far as I could tell, it looks
18 like the county started talking and thinking about this
19 as far back as 2008, the impact that might be coming.

20 So I think that, I find it to be a unique
21 concept to form a city without any municipal services
22 promised. That's because it's a one-horse show. It's a
23 one-horse show. And that is -- and that's to stop,
24 supposedly, the warehouse development, if that's a bad
25 thing, coming into Miami County. There's a ton of ag

1 land within these boundaries. And I think it's best
2 that it -- or my people feel like it's best that it stay
3 the same.

4 So in the very bottom of that summary page,
5 the last paragraph, I'll just summarize it. You can
6 read it. But once again, the people who have signed
7 this petition, 111 folks representing 3,000 out of the
8 5,000 or so acres that are proposed within this city,
9 they want country living, they want property rights but
10 they believe that Miami County can protect them and that
11 a city is unnecessary. So they're asking you, as you
12 will, to examine the factors and the information and
13 then determine that the proposed incorporation of this
14 territory is contrary to the public interest and the
15 petition should be rejected. Thank you.

16 CHAIR ROBERTS: Do the Commissioners have
17 any questions? Mr. Vaughan.

18 COMMISSIONER VAUGHAN: I heard a few numbers
19 and I'm trying to understand. So I would like some
20 clarification.

21 MR. DARCY DOMONEY: Sure.

22 COMMISSIONER VAUGHAN: I heard 5,400 acres
23 total and I heard 4,300 acres were against. And then at
24 one point I heard 3,000 acres were against. Can you
25 explain those three numbers and clarify that?

1 MR. DARCY DOMONEY: Yes. The 5,400 acres is
2 a solid number. That's the number of acres within the
3 proposed area to become a city, within those red
4 boundaries on the map. Okay. The 3,000 acres are the
5 green highlighted areas, Commissioner Vaughn, within the
6 proposed city. All right. The 4,300 acres takes the
7 3,000, adds another 1,300 acres that are green
8 highlighted that are outside the red area, to come up
9 with the 43. Sorry for the confusion.

10 COMMISSIONER VAUGHAN: And the other point I
11 heard was, your folks against the Petition had concerns
12 about the burdens of the city and the ordinances that
13 would be implied. Are there specific ordinances that
14 they're concerned about or just the general idea of city
15 ordinances? Were there specific ones that you can
16 address?

17 MR. DARCY DOMONEY: We can't anticipate what
18 they're going to be. All right. We can't anticipate
19 for sure what they're going to be. What I have read is
20 something about restricting truck traffic, depending on
21 what kind of a business you're running or so forth, that
22 could hurt the value of your property. But beyond that,
23 it's very hard to anticipate, for us, what ordinances
24 might be coming down the pike eventually. But my folks
25 are just concerned that it may infringe on their ability

1 to enjoy their property now and their overall property
2 rights.

3 COMMISSIONER VAUGHN: Last one. Sorry.

4 MR. DARCY DOMONEY: That's all right.

5 COMMISSIONER VAUGHAN: The document that was
6 provided to us today from the Petitioner, have you seen
7 this document at all or is this a new document that
8 you'll review after the public hearing?

9 MR. DARCY DOMONEY: That's up there in the
10 tray?

11 COMMISSIONER VAUGHN: Yes.

12 MR. DARCY DOMONEY: Have not seen it.

13 CHAIR ROBERTS: Commissioners?

14 COMMISSIONER DIXON: I was curious of the
15 breakdown of the 111 residents that are opposed.

16 MR. DARCY DOMONEY: Yes.

17 COMMISSIONER DIXON: Can you break that
18 down, the outside of the red line versus the inside?

19 MR. DARCY DOMONEY: I don't believe I can,
20 Phil. I don't believe I can do that. I don't think I
21 have the --

22 COMMISSIONER DIXON: That's fine.

23 MR. DARCY DOMONEY: But I don't think as far
24 as the -- excuse me. I've been corrected. I did pretty
25 well not getting corrected until now, I think. All

1 right. So if you look at the signature pages, you will
2 see in the far two columns, it says, AC in city, AC
3 outside. Obviously, that's acres inside, acres outside.
4 Excuse me for that oversight.

5 COMMISSIONER DIXON: I saw that. My fault
6 for asking the question. Thank you.

7 CHAIR ROBERTS: Thank you, Darcy.

8 MR. DARCY DOMONEY: Thank you.

9 CHAIR ROBERTS: Next we will start with
10 anybody else who would like to speak on their behalf.
11 And we will ask the county clerk -- here's what
12 happened. When you came in the door, signed your name,
13 you put a dot or checkmark if you want to speak. She'll
14 call several people. Whoever she calls first, make your
15 way to the mic stand. She's going to call several
16 others. Please come forward, find a place to sit. Five
17 minutes for each speaker, if that's what you need. If
18 you need three, then thank you very much.

19 County clerk?

20 COUNTY CLERK WHITE: Bob Swanson. And I may
21 kill some of your names and I'm not doing it on purpose.
22 Okay. Tara Ingle. Kathleen, and I think it's Strentz.
23 And Cheryl Lundberg. If you guys are still wishing to
24 speak, please move down to the front row.

25 Bob Swanson. No? Okay. So let's go ahead

1 and have Charles Koch also come down, please. That will
2 be the first four.

3 Tara, would you like to start us? Thank
4 you.

5 MS. TARA INGLE: I just want to say thank
6 you for having us come and listening to us. We really
7 appreciate it.

8 So I'm in favor of Golden. I'm ready -- or
9 speaking today to implore you to consider a vote for yes
10 for the incorporation -- (reporter interruption). Oh.
11 My name. Slow down. Okay. So Tara Ingle. Address,
12 28255 West 215th, Gardner, Kansas, but I'm in the Miami
13 County side so I live right on the county line. So I've
14 lived in Miami County for 30-plus years. And I have
15 always been proud to be part of such a community that
16 prides itself on ag growth and doing what's right for
17 all of its citizens. With a vote for yes in favor of
18 Golden, you'll continue to uphold the high standards of
19 commitment to the citizens of Miami County. We're
20 looking to preserve our way of life, to raise families
21 and continue to have our freedom that comes with living
22 in the country/agricultural area, not an industrial
23 park. I did not buy my current land and move my family
24 there to be part of huge semi trucks coming through. I
25 live on 215th. It's not made for that. So I -- that

1 scares me how much traffic is coming through that area.
2 Without the City of Golden, you're leaving us to the
3 wolves who do not have our best interests at heart or,
4 for that matter, Miami County. The City of Golden will
5 help to keep the rural agricultural area in northern
6 Miami County safe from heavy truck traffic, damage to
7 the Hillsdale Lake watershed and industrial
8 encroachment. Miami County will only benefit from
9 having Golden as a part of their county. It will help
10 to maintain roads, keep semi traffic to a minimum, as
11 well as to protect the Hillsdale Lake watershed.

12 I was born and raised in Miami County. I
13 teach here at the middle school. I feel honored and
14 privileged to be able to continue to work and live in
15 the county where I grew up and pass those traditions on
16 to my children and students. We look forward to
17 participating every year in the Miami County farm tour,
18 visiting Hillsdale Lake, going to the cider mill, as
19 well as other county events. We love living in the
20 country and in the county and being able to grow and
21 become successful. With a vote for yes for Golden,
22 you're adding to the resources that Miami County has to
23 offer.

24 CHAIR ROBERTS: Thank you very much.
25 (Applause). I'm not sure this is working, but, Janet,

1 who's the next person?

2 COUNTY CLERK WHITE: Kathleen.

3 MS. KATHLEEN STRENTZ: Good afternoon. My
4 name is Kathleen Strentz. My address is 21894 South
5 Waverly in Spring Hill. My husband and I bought our
6 property in 2016 because we dreamed of the rural way of
7 life. We currently are transitioning out here from
8 Overland Park. I know you've heard it before but,
9 again, we wanted to get away from the traffic, the loud
10 noise. We wanted to be able to sit outside at night,
11 look at the stars and not see a lot of bright lights.
12 We do stargazing, we watch satellites go over.

13 We have several concerns with the
14 non-approval of Golden. The warehouses, we're
15 concerned. You know. You buy property, you buy it for
16 an investment. What will the warehouses do to your
17 property, your investment, if warehouses are built right
18 next door to you? The bright lights, the noise,
19 everybody has mentioned the traffic, the semi traffic on
20 gravel roads. We don't have children but it popped into
21 my mind, what about children standing out waiting for
22 the bus, the school bus. It causes dangerous
23 situations. I know there was already an accident on
24 Gardner Road at 215th, I think it was last year, with
25 one of the truck drivers because they were confused.

1 Unfortunate situation. But how many unfortunate
2 situations are going to come up if we have warehouses
3 built?

4 I'm worried about the Hillsdale watershed.
5 I mean, that lake was built for a reason. What is this
6 going to do to that? So I just ask for your vote, yes,
7 in favor of Golden, Kansas. And I want to thank you for
8 the opportunity to speak.

9 CHAIR ROBERTS: Thank you. (Applause).

10 COUNTY CLERK WHITE: Next up will be Cheryl
11 and then Charles. And then I would like Lynn Smith, Lee
12 Dye, Tim Dye, and Kevin Lundberg to move down. Lynn
13 Smith, Lee Dye, Tim Dye and Kevin Lundberg.

14 MS. CHERYL LUNDBERG: Good afternoon. My
15 name is Cheryl Lundberg. I'm also speaking on behalf of
16 my husband, Kevin. We live at 23225 Waverly Road, which
17 is within the boundary of the proposed incorporation of
18 Golden. The incorporation of Golden, Kansas, will
19 benefit Miami County by cutting down on traffic, truck
20 traffic, through the north part of the county, which
21 will cost the county more in road repairs and result in
22 higher taxes for everyone in the county. The
23 incorporation will protect the viability of Hillsdale
24 Lake as a destination for the county. It will safeguard
25 the public hunting land that all residents in Miami

1 County and the state enjoy. Additionally, it will
2 continue the desirability of rural living in the county.
3 The incorporation of Golden will benefit the residents,
4 the residents by preserving the rural way of life,
5 including, but not limited to, not having to worry about
6 traffic while children and grandchildren are playing
7 outside, the capacity to target practice on your own
8 land, the ability to see the stars, the ability to keep
9 horses on your own property, and the ability to farm.

10 As a side note, in between my career change,
11 I was, for eight months, working at the sort center that
12 Amazon has in Lenexa, Kansas. During those eight
13 months, there was at least two fights outside the
14 property per month. I don't want that kind of thing
15 coming towards my home. Thank you. (Applause).

16 CHAIR ROBERTS: I would kindly ask that you
17 hold your applause. We'll give you a chance to
18 celebrate all those that said what you like before we
19 finish. Thank you. Please.

20 MR. CHARLES KOCH: Hi. My name is Charlie
21 Koch, 27449 West 215th Street. We're about a
22 quarter-mile from the latest annexation that Edgerton
23 did. But I just wanted to listen to the opposition.
24 And I have been pretty involved in this whole
25 conversation to incorporate Golden. And nobody really

1 takes advantage of all the freedoms that the county life
2 gives you, like I've lived: A bunch of horses, donkeys,
3 we shoot on our property, run around on a side-by-side,
4 we used to have cattle. All together we own 80 acres my
5 dad's owned since 1983. We used to have cattle on it.
6 And nobody said at any point in time that the goal of
7 Golden is to not allow someone to farm or not allow
8 somebody to do what they want to do with their land.
9 There's really not been any conversation about
10 restricting who somebody might sell their property to.
11 Golden doesn't prevent anyone from selling to a
12 developer, nor would it prevent anybody calling from
13 NorthPoint from any developer that's operating in
14 Edgerton. The main goal of Golden is to give a voice to
15 the people that live in the area because that voice has
16 been largely ignored with that development controlled by
17 Edgerton.

18 I've heard a lot about denying the county a
19 tax base. But without Golden, that development is going
20 to happen through the governing body of Edgerton, who
21 is, as far as I can tell from reading the agreements,
22 they are contractually bound to bring huge tax
23 abatements, 100 percent tax abatements for 10 full
24 years. It's not even graduated. Their public finance
25 agreement further adds to their obligation to the

1 developer. There may never be full taxes collected on
2 those warehouses. It certainly is in contrast to the
3 premium properties that are out there now that are above
4 average valuations for the county that are all paying a
5 significant amount of taxes.

6 To kind of go through some of the budget
7 things that were said, comparing Golden to Linn Valley,
8 Linn Valley is a golf course community. They have a
9 restaurant, they have a pro shop. I actually looked at
10 it, they lose \$32,000 a year on bingo. So that's in
11 their budget. They take a \$32,000 cost to facilitate
12 bingo in the community. Nobody has talked about any of
13 that with Golden. We might play bingo but it certainly
14 isn't going to cost us \$32,000. And nobody has even
15 mentioned a golf course or a pro shop or a restaurant.
16 This is -- the whole point of Golden is to give
17 everybody in the area a say. If taxes have to be
18 levied, the people that are levying them are doing so
19 out of absolute necessity. But there's no outside group
20 that's going to come in and say, this is a city, now we
21 got to have all this stuff and we're going to raise
22 taxes, because the people on the city council will pay
23 those taxes too. We have a large piece of land that's
24 probably a similar size. We've got two houses on it. I
25 think we currently pay probably above average taxes in

1 dollar terms for the area. So, I mean, I would be on
2 the front end of that. If taxes doubled, I would be
3 paying a lot more too.

4 And then just the disregard that we have
5 seen in Edgerton for things like Hillsdale Lake. The
6 Hillsdale WRAPs, a representative from Hillsdale WRAPs
7 came and spoke to an Edgerton meeting and pleaded with
8 them, please, don't do this development, you're going to
9 destroy Hillsdale Lake. They said, well, we're in
10 compliance with whatever waste water disposal criteria
11 so I think we're good, and just disregarded it all
12 together.

13 The only -- the current path of development
14 is only good for really NorthPoint and its tenants who
15 are looking for cheap warehouse space that's
16 conveniently located next to the railroad. For
17 everybody else, it destroys their property value, it
18 destroys what they love, it brings a bunch of trucks to
19 the area. It's not smart development. And Golden is a
20 way to, one, stop Edgerton's crawl south and put the
21 power to develop that land back into the hands of not
22 only the people that live in the proposed boundaries of
23 Golden but also the county, because Edgerton can't come
24 run into the county and abate taxes on the county's
25 behalf. So it will throw it either into Golden's hands

1 or your own hands to decide what's best for that area.

2 The fact that, I've heard it a couple times,
3 too, that, well, the county will protect us, the county
4 zoning will protect us. You all are very aware that
5 once Edgerton annexes, you don't have anything to say
6 about the zoning. They can change the zoning at will
7 and they can put whoever they like in.

8 I appreciate your all's time. Thank you for
9 your time.

10 CHAIR ROBERTS: Thank you. Next.

11 COUNTY CLERK WHITE: Lynn Smith, Lee Dye,
12 Tim Dye.

13 MR. LYNN SMITH: Lynn Smith, 27440 West
14 215th Street. Our family has lived at this present
15 address for 37 years. And we have had a wonderful
16 community with wonderful neighbors and helpful
17 neighbors. But now there's a possibility that we are
18 going to have a one million square foot Amazon warehouse
19 that is so close to us that there will be just one house
20 between our house and the warehouse. Therefore, I am
21 100 percent for the City of Golden that will give us a
22 possibility of maintaining our community. Thank you.

23 CHAIR ROBERTS: Thank you. Who's up next?

24 COUNTY CLERK WHITE: I would like to call
25 some people down too. Ron Elrod. Dennis Koch or Cook,

1 I'm not sure how say your last name; sorry. And
2 Charlene Soetaert.

3 MS. LEE DYE: My name is Lee Dye. I live at
4 31308 West 217th Street, Spring Hill, Kansas, 66083. My
5 husband and I have been involved in the struggle against
6 NorthPoint's and Edgerton's ruthless tactics of
7 aggression against our rural neighborhood since 2018.
8 Recently, in asking our neighbors to sign the Petition
9 for the Incorporation of Golden, out of more than 50
10 signatures that were gathered, there was only one
11 household against incorporation. This is a vast
12 majority for incorporation. Further, as of Monday
13 evening, in the public responses posted by the county
14 clerk, out of 114 letters posted, there were four
15 impartial letters, only 17 against and, again, an
16 overwhelming majority of 93 pro-Golden supporters. Of
17 those 17 who wrote in opposition, some were not
18 residents of our proposed city, some were intimidated by
19 the presumptuous untruths spread by the opposition's
20 petition, and, as told to us directly, some only want to
21 sell out to warehouses, to heck with their neighbors and
22 community. Those who would sell to NorthPoint would no
23 longer be constituents, so why would any commissioner
24 vote as they've asked? Those former residents won't
25 have to deal with the negative impact of warehouses.

1 That will have to be weathered by their former friends
2 and neighbors.

3 When we attended the March 3rd County
4 Commissioners meeting, Planning and Zoning Director
5 Teresa Reeves spoke to the overwhelming majority of
6 county residents' input up to that point. In the
7 comprehensive plan's open house, she affirmed that it
8 revealed that most residents still wanted to remain
9 rural, rural-residential and agricultural in nature.
10 Again, majority support for one, the City of Golden's
11 core values.

12 Dear County Commissioners, you are our only
13 hope in preserving and enhancing our community and
14 protecting our Hillsdale Lake watershed and environment
15 and well-thought-out planned environment that Golden
16 will provide. You only have one of two choices: Golden
17 or warehouses. Please listen to what the overwhelming
18 majority of residents whom you represent have requested
19 as well as those of neighboring cities. Please vote yes
20 for the safety and preservation of our environment and
21 community. Vote yes for Golden. Thank you.

22 CHAIR ROBERTS: Thank you.

23 MR. TIM DYE: My name is Tim Dye. That was
24 my wife. 31308 West 217th Street, I'm going to say,
25 Golden, Kansas. I'm just not going to repeat everything

1 that everybody else is saying. I'm fully in support of
2 Golden but, and I understand due process has to be done,
3 but this seems like it's taking forever to get this
4 decision made. And I'm afraid, my concern is that the
5 no longer you delay a decision, it gives NorthPoint and
6 Edgerton more time to annex into Miami County, thus,
7 making this entire situation null and void. I think by
8 delaying your vote and letting that happen would be the
9 same as a no vote. And a no vote, in my opinion, would
10 be reflective on the integrity of this board. It
11 wouldn't look good. I also, I don't want to say
12 corruption, but I think that NorthPoint and Edgerton is
13 full of corruption. And if this thing doesn't go, it
14 makes me feel like that Northpoint/Edgerton corruption
15 has seeped into Miami County government. And if that
16 happens, God help us all. I appreciate your vote for
17 yes for Golden. And thank you for your time.

18 CHAIR ROBERTS: Thank you, sir.

19 COMMISSIONER PRETZ: I've got a question.

20 CHAIR ROBERTS: Yes.

21 COMMISSIONER PRETZ: I want Mr. Kaup to
22 address his concern about Edgerton annexing in before
23 the county decides yes or no on Golden. If you would,
24 Mr. Kaup.

25 MR. KAUP: Okay. Sir, you mentioned that

1 you were concerned about delay in a decision. And the
2 decision is not being delayed. It's just going to be
3 methodical. It takes some time. And as I said in my
4 remarks, that we have a transcript -- I'm sorry -- the
5 Commissioners have a transcript to read following this
6 hearing, responses that folks make to what they hear
7 today and tonight, and other information that the
8 Commissioners may request from county officials, state
9 officials. It's a process. But it's not being delayed
10 for any reason. Okay. And the concern that you have
11 about any possible annexations occurring during the time
12 that the county commission is deliberating and making
13 its decision, I would just, all I want to tell you is
14 just that that should not be a concern on your part.

15 MR. TIM DYE: So it may come into Miami
16 County and annex, this petition is still in effect, and
17 we can proceed with the decisions that are upcoming?

18 MR. KAUP: Well, again, all I really can say
19 at this point is that it should not be a matter of
20 concern for you or anyone else that is a proponent of
21 incorporation.

22 MR. TIM DYE: Okay. Thank you.

23 COMMISSIONER PRETZ: Thank you.

24 CHAIR ROBERTS: Any other questions? All
25 right. Go ahead.

1 COUNTY CLERK WHITE: While he's getting
2 ready, I want to call other names. Dennis Koch or Cook.
3 Charlene Soetaert. And then Mary Koch, John Weaver, and
4 Michael Ludwig.

5 MR. RON ELROD: Mr. Commissioner, thank you
6 for letting me speak. I'm Ronald Elrod and some folks
7 have already spoke about how they have been in Miami
8 County a long time. I had a great great great grandpa
9 that came here in 1854. So I've been here a little
10 while. I want to say, I'm Ronald Elrod, 26357 West
11 215th, Spring Hill. And I live on the corner of 215th
12 and Cedar Niles. I built my house on the north end of
13 Marysville Township, away from any city in Miami County
14 in 1971, 50 years ago. The 10 acres I own was zoned
15 agriculture. I had to apply to the township board for a
16 permit to build a single-family home on the one acre
17 that I had paid for. About six weeks ago, one of my
18 neighbors came to the door to ask if I liked the big
19 trucks coming by, tearing up our roads. I told him of
20 course I didn't. I don't like them speeding down the
21 roads at all. He then asked if I liked seeing all the
22 new warehouses being built in the area. I said no. He
23 then told me some of our neighbors have gotten together
24 and decided they were going to stop all this by forming
25 a city. He then asked me if I would sign this petition

1 to stop anyone from building warehouses and stop big
2 trucks from tearing up our roads and all this truck
3 traffic. I told him I would first have to know more
4 about their plan and what they intended to do. He told
5 me they were going to ask him to get neighbors to sign
6 the petition and stop the truck traffic and warehouses
7 from being built in Miami County. I told him I would
8 have to be more informed and needed a lot of questions
9 asked before I would consider signing anything, and, if
10 they have any meetings to discuss the feasibility of a
11 city, please include me whenever it is. I never heard
12 more about it. I finally got a card in the mail in
13 April from my neighbor lady. She said that -- and after
14 chasing her down, she says, they're going to have a
15 meeting and the attorney would be there and I could
16 attend that last meeting they had, the only meeting I
17 got a chance to go to. Said that attorney they had
18 hired could answer any questions I had. So I went to
19 their meeting. The attorney told everybody there that
20 the city was to be formed for only the people like
21 sitting there tonight and they could have any city laws
22 and rules they wanted. If they did not want truck
23 traffic, all they had to do was put up signs, city signs
24 saying, no truck traffic. This is what the attorney
25 told us. If they wanted no warehouses, they could make

1 that their own rules. They had complete control. We
2 still have to -- he told us Miami County would still
3 have to maintain the roads and police protection, fire
4 and ambulance service because we live in Miami County,
5 even though we're a city. Near the end of the meeting,
6 I asked who would enforce the signs, no trucks. The
7 attorney said, Miami County police would have to do
8 that; they enforce any rules we make. I asked where
9 they would pay the fines if they got fined for speeding
10 with these big trucks going down the road. He said,
11 well, they would have to go to Paola to pay the fines;
12 we have no city hall, no judge. I asked who would
13 maintain the 25 miles, approximately 25 miles of roads
14 in the area of the city. He said, well, Miami County is
15 going to have to do that, we're Miami County. They have
16 to keep all maintenance of the roads, almost all but a
17 few that maybe the city may have to do themselves. And
18 this attorney, he says, I would even volunteer to do
19 that myself. I don't believe him. So, consequently,
20 they also said that, when they started, said anyone that
21 didn't want in the city that was in the city area, they
22 could opt out. So I want to say I want to opt out. No
23 city for me. I've always been a country boy. That's
24 why I built in the country. There's no way we could
25 become a city and pay all the bills with no businesses

1 at all, vast agriculture, very small population. There
2 is only one way a city like this could possibly pay its
3 liabilities and that would be to have a tax so high that
4 all of us normal people would lose our farms and homes
5 because we could not afford the taxes.

6 I'll tell you right now, I do not want to be
7 inside any city. I will always fight to keep my rural
8 Miami County country. I like it. It is very clear to
9 me that this city would keep Miami County from having a
10 fair tax base throughout the wonderful county we live
11 in. Thank you.

12 CHAIR ROBERTS: Thank you. Next.

13 MR. DENNIS KOCH: I'm Dennis Koch. I live
14 at 27333 West 215th Street in Spring Hill, Kansas. And
15 I want to kind of talk today about a fight that we've
16 been in since December when Edgerton decided to annex
17 650 acres over 199th Street. They said they weren't
18 going to rezone it. A couple days later they put up the
19 signs that said they were going to rezone it. So we
20 went to work spending hundreds of hours making a case.
21 We took our documents to the homes of the planning
22 commissions, commissioners in Edgerton, because we
23 wanted them to be able to read it before the meeting.
24 And we must have presented a pretty compelling case
25 because they voted 4 to zero in our favor not to rezone

1 that land. And then NorthPoint started taking control
2 of the process. At the city council meeting it looked
3 like we were going to get the votes we needed to
4 overturn the rezoning. The mayor and the city staff,
5 seeing that we were fixing to win, sent it back to the
6 planning commission. At the next planning commission
7 meeting, without any objection from the City of
8 Edgerton, NorthPoint hired warehouse workers to line up
9 in front of city hall to take the available seats inside
10 the hall. So when the doors opened, they filed in, we
11 were shut out. When it came time to vote, every
12 planning commission member voted, no, a complete 180 of
13 what their previous vote was. Somebody got to them. So
14 they sent it back to the city council. Again,
15 NorthPoint sent, about three hours before the meeting,
16 sent warehouse workers, hired warehouse workers, to line
17 up in front of city hall. So when the doors opened, we
18 had no representation in the hall. That's what the
19 Miami County residents will have to deal with if our
20 petition to incorporate is denied. The money-motivated
21 team of NorthPoint and Edgerton will decide what happens
22 in north Miami County without regard to Hillsdale Lake
23 or any residents. There will be warehouses wherever
24 NorthPoint wants to put them. Edgerton will do whatever
25 NorthPoint wants them to do regardless of the opinion of

1 the Miami County Commissioners. Please vote for Golden.
2 Thank you.

3 CHAIR ROBERTS: Thank you, sir.

4 COUNTY CLERK WHITE: Charlene.

5 MS. CHARLENE SOETAERT: Yeah. My name is
6 Charlene Soetaert, 31120 West 217th Street, Spring Hill.
7 I am speaking for myself and my husband, Chuck, who
8 could not be here today. We live at 217th and Waverly
9 and have for over 44 years. We ask you to vote in favor
10 of creating the City of Golden. I would say that no one
11 in our area moved here seeking to live in a city but we
12 also did not expect a city in Johnson County to seek to
13 gain control of our properties' use and values.
14 Incorporation seems to be the only means to prevent
15 this. We do not understand why a city that has created
16 a logistics park that currently has vacant properties is
17 now incorporating parcels of land that abut private
18 homes, creating residential and commercial use together
19 on gravel and narrow two-lane paved roads. This is the
20 area that has been spoke of, like from 199th down to
21 215th. When NorthPoint purchases land, they have no
22 desire for people to continue to live there. It is for
23 Edgerton's warehouse use. Surrounding properties and
24 buildings go down in value as no potential home buyers
25 would want to live near those warehouses. For those in

1 our area who are concerned about paying higher taxes for
2 road maintenance with incorporation, imagine what your
3 road condition will be like if all the warehouse workers
4 and semis are using your roads daily, and daily could be
5 24/7. That would require more money for maintenance.
6 And Edgerton plainly states that they are not
7 responsible for that.

8 On the Miami County website of local
9 municipalities' responses to K.S.A. 15-121, Edgerton
10 Mayor Donald Roberts states that he would expect to
11 annex ground in Miami County and that Edgerton would
12 expect infrastructure maintenance and services such as
13 police or fire protection and any other benefits
14 provided by the Miami County to continue to be provided
15 to Edgerton's annexations. Spring Hill and Gardner do
16 not state such requirements in their responses. We say
17 there is no reason we should be responsible for monetary
18 support to Edgerton. We need to keep control in Miami
19 County. Thank you.

20 CHAIR ROBERTS: Thank you.

21 MR. JOHN WEAVER: Good afternoon. My name
22 is John Weaver and I live at 21606 South Cedar Niles
23 Road in Spring Hill, Kansas. And my wife was supposed
24 to be here with me today, Charlotte Weaver, but,
25 unfortunately, she had an accident and she had to go get

1 some emergency care. So these words that I'm telling
2 you today are from both of us.

3 Just after the civil war, my great great
4 grandparents left Illinois and settled in Marysville
5 Township. My grandmother's side lived west of Hillsdale
6 where the lake is now, and my grandfather's side lived
7 east of Hillsdale near 10-mile Creek. My wife and I
8 both also grew up in Miami County, Kansas, Osawatomie,
9 Kansas, to be exact. And we both left the area after we
10 graduated from high school. But a few years later we
11 got together again and the sparks flew again, just like
12 they had in high school, and we married. And we moved
13 to Olathe because my job was out that direction. But
14 the lure of the country and the lure of Miami County
15 drew us back. And in 1995 we moved to a modest house
16 near, on Cedar Niles Road near 215th Street. So we are
17 fourth generation Marysville Township residents. And
18 right now it is a great place to raise children, even
19 though our children now have moved away. But our kids,
20 whenever we get together, which is several times a year,
21 we reminisce and they reminisce about their time growing
22 up in our house on the little place they called the
23 farmette. It's just a few acres of land.

24 It's a great experience for me to get up in
25 the morning and go to my back door and to look, in the

1 spring, and the trees are just starting to bud out, the
2 flowers are starting to peek through the soil and it's a
3 wonderful time of the year. In the summer, it even gets
4 better when the trees start leafing out and all the
5 greenery and the birds start singing and the butterflies
6 start fluttering around the yard. And in the winter,
7 although I don't like the cold, I can go to the back
8 door and I can look out, and especially after a fresh
9 snowfall that's covered the ground in white, what a
10 beautiful sight that really is. Living in this
11 northwest part of Miami County is something you can't
12 describe. It's a feeling that you have.

13 And to explain maybe a little further, my
14 wife and I, in the cool of the evening, sometimes go for
15 a walk up Cedar Niles Road. And more than once cars
16 have been parked along that road and people are out and
17 they're looking to the west and they're taking pictures.
18 And as we get close, generally they ask, how often do
19 you have sunsets like this. Of course our answer is,
20 most every night. I mean, it's a beauty that you can't
21 explain that until you see it. And we don't want the
22 things that we enjoy about it to be taken from us. We
23 don't want the pollution from the warehouses and the
24 semi trucks. We don't want the noise pollution of the
25 warehouses and the semi trucks. We don't want the

1 lights washing out the beautiful night skies that we
2 enjoy. And we don't want our fragile roads destroyed by
3 the trucks. We don't want to look out our back door and
4 see warehouses instead of the beauty of God's nature.

5 We are aware that the invasion of Edgerton
6 and the invasion of NorthPoint, we've been told that's
7 legal. But it is immoral. It's immoral to invade our
8 way of life without real reason or cause. NorthPoint
9 and Edgerton want to look out their back doors each
10 morning but what they want to see is not God's creation.
11 What they want to see is dollar signs floating on the
12 horizon. That's what it's really all about for them.
13 And so, my wife and I want to thank you for listening to
14 our comments today and we thank you so much for your
15 consideration and we pray that you will grant our
16 petition to form this City of Golden, Kansas.

17 CHAIR ROBERTS: Thank you sir. We'll take
18 one more speaker before we take a break.

19 COUNTY CLERK WHITE: That will be Michael.

20 MR. MICHAEL LUDWIG: Hello. I'm Michael
21 Ludwig, speaking on behalf of my wife and I. 23394
22 South Moonlight Road, Spring Hill, Kansas. Thank you
23 for the opportunity to speak this evening and convey my
24 utmost support for the incorporation of Golden, Kansas.
25 Our family moved out here in 2013 and instantly fell in

1 love with the area. We wanted a safe place to raise our
2 family but also to escape the typical trappings of city
3 and suburban life. We found our forever home on five
4 acres in a rural residential area that we have invested
5 money into fixing up. My wife and I work from the home
6 and my children started school at Spring Hill. We're
7 all in and very happy being residents of north Miami
8 County.

9 We only found out in April about what's been
10 going on to the north of us. We saw signs along the
11 road and started asking questions. What we found out is
12 devastating as it threatens everything we have built
13 here over the last eight years. Make no mistake, what
14 is occurring is the collusion of the city government and
15 a corporation to exert its will on the people. It's
16 obvious by Edgerton's now haphazard city limit that they
17 are annexing land solely for the purpose of rezoning to
18 industrial for NorthPoint. NorthPoint is strategically
19 buying property under false names and false promises of
20 economic growth. They then bulldoze the land, kill all
21 the trees and any wildlife on it and they construct
22 giant and unsightly warehouses that none of our
23 residents would ever want to live next to.

24 This development decreases everyone's
25 property value and makes homes unsellable even in the

1 largest real estate market boom in the recent years.

2 Air, water, noise pollution have increased
3 and will continue to get worse. Truck traffic has
4 increased, damaging our roads and making them unsafe for
5 our children. The worst part is, we, as citizens, have
6 been completely helpless to stop any of this. Our
7 outcries to local government officials, lawyers, anyone
8 who will listen, have all been largely ignored or we
9 were simply told, nothing we can do, and, it sucks to be
10 you.

11 The only resolution to our problem is to
12 incorporate. This will allow us to take back the power
13 to make decisions for ourselves and benefit our citizens
14 and neighbors. We will get actual representation for
15 our interests. We will no longer be at the mercy of a
16 town 15 miles away and a corporation from Missouri, both
17 who care nothing about our needs and desires. Our goal
18 is to be able to maintain our way of life as well as
19 make decisions for ourselves. This is America's
20 founding principle. Denying this right is the same as
21 denying us the American way.

22 We meet more than enough of the criteria for
23 incorporation. We are the appropriate size and tax
24 base, have natural borders for our town of the lake and
25 the county line. We have a lot of opportunities for

1 growth in both residential and commercial development.
2 The difference is, we will get to decide what is best
3 for Golden, not outside interests dictating to us how we
4 will live. For services, almost everything will remain
5 the same. No changes to sewer, electricity, EMS, fire,
6 police and water. Our minimal tax will be utilized to
7 cover anything else that is needed, including road
8 maintenance, lawyers and other expenses. We'll set up
9 our own laws and government of and for the people of
10 Golden. Most importantly, it's what the majority of our
11 residents want. We also have the full support from
12 surrounding cities of Spring Hill, Gardner and Fontana.

13 Most of the opposed do not live within the
14 proposed border of Golden or have a vested interest in
15 selling land to NorthPoint. Either way, they are not
16 concerned with the quality of life or welfare of their
17 neighbors. A vote against incorporation is a vote
18 against our wishes and would not be representing us. I
19 implore you all to please vote yes for Golden.

20 CHAIR ROBERTS: Thank you, sir.

21 MS. MARY KOCH: Good afternoon. My name is
22 Mary Koch. I live at 27333 West 215th Street, Spring
23 Hill, Kansas. I agree with everything the gentleman --
24 the two gentlemen before me just said and I ask -- I
25 stand here before you in full support of the

1 incorporation of the City of Golden. I ask you to
2 please vote yes to incorporate the City of Golden. I
3 have lived in northern Miami County for 30 years and
4 experienced all the aspects of living in this rural
5 setting, the beauty of living in nature and the need for
6 self-reliance.

7 In December of 2020 we became aware that the
8 land had been purchased a quarter of a mile from our
9 home by NorthPoint, a developer that builds warehouses,
10 that the City of Edgerton had annexed this land, 640
11 acres and were preparing to rezone this acreage --

12 COMMISSIONER PRETZ: Please step closer to
13 the microphone.

14 MS. MARY KOCH: Okay. So in December of
15 2020, we became aware that land had been purchased a
16 quarter of a mile from our home by NorthPoint, a
17 developer that builds warehouses, and the City of
18 Edgerton had annexed this land, 640 acres, and was
19 preparing to rezone this acreage from rural residential
20 to industrial use. The residents in proximity felt
21 gut-punched and went to work to let Edgerton know this
22 was not a good plan. In several meetings in Edgerton we
23 spoke in front of the planning commission and the city
24 council. They either made fun of us or ignored us.
25 They were clearly only interested in accommodating

1 NorthPoint. We asked Johnson County and Miami County
2 residents and our state representatives to help and they
3 all said there was nothing they could do; Edgerton had
4 all the say in the matter. It has been a gut-wrenching
5 six months.

6 In an effort to protect the rural area we
7 all love from the pernicious, cancerous, industrial
8 sprawl into our beautiful residential area, a
9 resourceful, intelligent and passionate group of rural
10 residents who are not interested in living near
11 warehouses or experiencing the negative impact that
12 warehouses bring have explored every avenue. In the
13 end, the only solution found viable is the formation of
14 our own city, the only way the residents can have a
15 voice, the only way the residents can participate in the
16 democratic process that we have been promised in the
17 Constitution.

18 The reason I am vehemently opposed to
19 industrial development into this rural residential area
20 is that it is an existential threat to the environment.
21 This area that is in such close proximity to the
22 Hillsdale Lake is a source of drinking water for
23 thousands of people. Hillsdale Lake also supports the
24 area's wildlife. If we allow industrial sprawl into
25 this area, the runoff from the land covered with

1 concrete will have a negative impact for generations to
2 come. The payday for wealthy developers today must not
3 alter the health and well-being of humans and the
4 wildlife that inhabit this area for generations to come.

5 We all know that the 640 acres that Edgerton
6 has voted to rezone from rural residential to industrial
7 is only the beginning. It will be no time before more
8 large acreages will be purchased in the area with no
9 regard or respect for those living on smaller acreages
10 or the impact on the environment. The developers will
11 promise tax dollars to the county and jobs. We cannot
12 be so naive as to believe either of these promises are
13 true. I can't say it strongly enough: If this
14 industrial development is allowed to sprawl over our
15 beautiful rural area, this area will be devastated. It
16 will evolve from being the jewel of northern Miami
17 County and southern Johnson County into the armpit of
18 Kansas. Thank you for your time.

19 CHAIR ROBERTS: Thank you very much. Would
20 you do me a favor and give everyone a round of applause
21 for what they have said? (Applause). This Commission
22 will now take a 30-minute break. We'll be back here
23 promptly at 5:30.

24 (THEREUPON, a 30-minute recess was taken).

25 CHAIR ROBERTS: Thank you for rejoining us.

1 I'll ask the county clerk to -- I know she has some
2 people already staged to speak. So I'll ask her to call
3 up the first person to speak to your Commission. If, by
4 chance, you did not have the opportunity to mark that
5 you wanted to speak, please, we will call for those
6 people. We want to make sure that everybody has the
7 opportunity to speak tonight.

8 Janet, you want to give us the first person
9 to speak, please?

10 COUNTY CLERK WHITE: So I'm looking for
11 Jenni Koch, Kelly Parks. And then Pat Peer was
12 questionable and I think her husband wants to go in her
13 place maybe, but they were going to arm wrestle it out.
14 Jerot Pearson. Carl Peer, that's the one that's going
15 to wrestle with the wife. And then Stan Forck and then
16 Lesley Rigney.

17 CHAIR ROBERTS: All right.

18 COUNTY CLERK WHITE: So in place of Jenni
19 we're having a switch. And that will be Jennifer
20 Whitlow.

21 CHAIR ROBERTS: You want to step to the
22 microphone, state your name and your address for the
23 record, please?

24 MS. JENNIFER WHITLOW: My name is Jennifer
25 Whitlow. I live at 31700 West 217th Street, currently

1 Spring Hill. Thank you for allowing me to go. I have
2 to get to a funeral so I appreciate you letting me do
3 that.

4 We moved out there four years ago. I've
5 always been in Johnson County for the last 29 years but
6 my husband and I were so excited to buy 11 acres and our
7 dream home four years ago. And it quickly turned into a
8 nightmare as the warehouse started coming in behind us.
9 And we are at the northernmost point. And right behind
10 us they are currently building the Polaris plant. So we
11 are experiencing this firsthand, what it's like to live
12 there and have this going on around us.

13 So I understand that as Commissioners, you
14 have a lot to balance. You have to balance the needs of
15 individuals within your county but you also have to
16 balance the county decisions as a whole. And I
17 understand that there are those that are opposed to
18 Golden because of the possible tax revenue that we're
19 going to miss out on and the growth. And I just want to
20 say, I wouldn't have thought I would be for a city; we
21 moved out there because we wanted to be in the country.
22 But we foresee this as the only possible way that we can
23 preserve and have a representative voice in what's going
24 on around us.

25 And I had some questions, I guess. The

1 opposition was very concerned about not having our way
2 of life. And I wish that we could keep it the way it
3 is. I truly do. We didn't move out there to be in a
4 city. But we see this as the only possible way that we
5 can have any representation. Because what's happened to
6 us is, we're being surrounded by properties that have
7 been purchased by NorthPoint. They annex into Edgerton
8 and we have no representation with them. We've tried to
9 go to them. So I guess my question to you, maybe later
10 you can answer this, is, can you protect us? Is there
11 another way? As far as we've seen, Johnson County
12 either can't or won't protect us, as far as the
13 commissioners. And we don't feel like we have a voice.
14 So it's not a matter of we don't trust you all as
15 Commissioners. The opposition said, you know, we trust
16 you, that's why we don't want Golden. It's not that I
17 want Golden because I don't trust you, it's just, what
18 can you do to have smart growth that is not infringing
19 on the property rights of all of us who currently live
20 there?

21 Miami County isn't a large industrial area.
22 That's not why people live there. We moved there
23 because we all want to raise our families, as all of my
24 neighbors have eloquently said. So I guess that would
25 be one question to the Commission that, if not Golden,

1 what is the plan to be able to have smart growth?
2 Because your residents are saying we do not want to be
3 surrounded by these warehouses. And if NorthPoint
4 purchases a property, requests annexation into Edgerton
5 and then they quickly rezone it, which is inevitable,
6 you all do have the benefit of watching what has
7 happened. You know what's going to happen. It's not a
8 question of if, it's a question of when. So my question
9 is, what could the Commission do about that?

10 And then, also my question is, the attorney
11 said that there isn't a danger if, you know, as you all
12 are deliberating and that sort of thing, if a piece of
13 property gets purchased and they request annexation into
14 Edgerton, what's to stop it? You know. We have been
15 concerned that it's taken 90 days to get to this
16 hearing. I appreciate you all doing due diligence. I
17 understand this is a big deal. It is unconventional.
18 But, I mean, isn't that what Miami County is about? We
19 are innovators. Why not think outside the box? I don't
20 want to see us and I don't want to see Miami County
21 become at the mercy of a city that is miles and miles
22 away and is just rubber stamping things through.

23 So my concerns, my questions to you are,
24 without Golden, what could you do to control that, if
25 anything? And if you can't, then I ask you to please

1 support Golden. I think it can be a real gem in this
2 county.

3 As far as the tax revenues, residential,
4 rural residential, that's what's hot in the market.
5 People want 10 to 20-acre properties with homes. And if
6 they're devalued like ours are being right now with
7 warehouses, your tax base is going down. And those
8 warehouses have lots of tax abatements. And if Edgerton
9 is making decisions and you can't, they're going to
10 decide on this 100 percent tax abatement because they
11 have done it again and again.

12 And I just want to tell you, my kids and I
13 came up on that fatality accident at 207th and Gardner
14 Road. 207th is a gravel road right there. Those trucks
15 can't make the turn. Their GPS takes them there instead
16 of the exit. You know, when I talked to the Johnson
17 County road and bridge, they said, we can't do a thing
18 about it. When we talked to Edgerton and said, this
19 isn't safe, you did not put in the infrastructure
20 required for these warehouses, they said, that's Johnson
21 County jurisdiction. They're continually passing the
22 buck. That's what's going to happen with Miami County.
23 They are decimating our roads out there. Gardner Road
24 was not meant to be a tractor trailer road. And it's
25 really unsafe.

1 So I guess I'm just concerned that Miami
2 County isn't going to realize all this amazing
3 commercial development tax revenue. I think it's going
4 to be the opposite. I think that those warehouses are
5 going to get what they can and then what's to keep them
6 from moving away and leaving us with empty warehouses,
7 which the county does not want? I guess those are my
8 questions to you. I don't know if they can be answered
9 tonight but those are my concerns. But I really
10 appreciate you all giving us the time. And also I
11 appreciate you being interested in what we have to say
12 as far as the comprehensive plan.

13 CHAIR ROBERTS: I do appreciate those
14 questions and what we'll do, we'll catalog them. And
15 when we do our deliberation, we'll challenge our staff
16 and ourselves to try to answer those questions. I'm not
17 guaranteeing we will have an answer that's suitable.

18 MS. JENNIFER WHITLOW: If we have additional
19 questions, can we just e-mail you and ask you?

20 CHAIR ROBERTS: You can send all
21 correspondence to the county clerk. They'll give it to
22 all the Commissioners.

23 MS. JENNIFER WHITLOW: Thank you. I
24 appreciate it so much.

25 CHAIR ROBERTS: Who's next, Janet?

1 COUNTY CLERK WHITE: Jenni Koch.

2 MS. JENNI KOCH: My name is Jenni Koch and I
3 live at 27449 West 215th Street in Spring Hill, Kansas.
4 I stand before you today and ask you to vote yes on the
5 petition to incorporate Golden, Kansas. I have lived in
6 Miami County my entire life and would honestly choose no
7 other location to live than here. I might be slightly
8 biased but it's the most beautiful and perfect place to
9 live and raise a family. We built our home 10 years ago
10 on land my husband's family has owned for 40 years. We
11 have rescued many animals, including horses, donkeys,
12 dogs. We love our community and rural life-style. We
13 have built outbuildings and fencing to accommodate our
14 little farm.

15 As this year has unfolded, we have learned
16 that even though we own our property and the 16 acres we
17 live on, our fate lies in the hands of a small town,
18 Edgerton, that isn't neighboring ours at all. Well,
19 until now. Since learning all that we have since
20 January, we have spoken to Miami County and Johnson
21 County Commissioners as well as neighboring cities. And
22 all hear our words but are merely offering condolences
23 of, there's nothing we can do, even though they fully
24 agree that it's completely inappropriate to build a
25 massive warehouse complex in the middle of a

1 neighborhood. All, except Edgerton, of course. We
2 attend meetings in Edgerton only to be shut out by suits
3 and their employees and mocked by their commissioners
4 with statements like, if you want to look at the stars,
5 go camping, in reference to our statements that the
6 massive size of these million square foot warehouses
7 will block the view of the skies surrounding our
8 neighborhood. We are nothing to them as we are not
9 residents of their city, we are just residents of Miami
10 County. Even though we touch their city limits,
11 according to them, we have no right to tell them what to
12 do and what is best for our -- for their citizens.

13 We have researched tirelessly and it wasn't
14 until we learned of the idea of forming a city that we
15 finally felt hope. Golden would allow us all the things
16 that American citizens should have, basic rights to have
17 a say in what happens in our neighborhood without taking
18 anything from anyone, a basic right that Edgerton has
19 denied us and that Miami County wasn't able to give us
20 until now. I trust you to make the right decision.
21 Thank you.

22 CHAIR ROBERTS: Thank you.

23 COUNTY CLERK WHITE: Kelly Parks.

24 MR. KELLY PARKS: Hello. I'm Kelly Parks.

25 K-E-L-L-Y, P-A-R-K-S. I reside at 8005 North Hoover,

1 West Valley, Kansas, unincorporated. And I would like
2 to thank you all for allowing me to speak here today. I
3 know Jennifer Williams and Bryant Parker. They are
4 great people, they have done a lot of work on this.
5 Jennifer has done a lot of study. She knows what she's
6 talking about, in my opinion.

7 I want to -- a little bit of background on
8 myself. I was a police officer for about 31 years. And
9 when I was sworn in, I would say, as you did when you
10 were sworn in, that you would support the Constitution
11 of the State of Kansas and support the Constitution of
12 the United States. I want you to think about that when
13 you make a decision on this matter. Make sure you're
14 lined up with that. And I'm sure your attorney can help
15 you with that.

16 Also, every time that you have a meeting, I
17 noticed today, and I thank you for this, you say the
18 Pledge of Allegiance. When you get down to the last few
19 words of this Pledge of Allegiance, as I did when I was
20 on the county commission at Sedgwick County, those last
21 few words are very important: With liberty and justice
22 for all. Give the people of Golden liberty and justice
23 on this issue and vote yes.

24 Any questions?

25 CHAIR ROBERTS: Thank you.

1 MR. KELLY PARKS: Thank you.

2 (THEREUPON, an off-the-record discussion was
3 had) .

4 COUNTY CLERK WHITE: Then I would go to
5 Jerot Pearson.

6 MR. JEROT PEARSON: Thank you for letting me
7 speak here this evening. My name is Jerot Pearson.
8 Address is 30943 West 215th Street. And our residence
9 resides in the area being considered for the Golden.
10 And then I am also the developer for the Hidden Prairie
11 subdivision in the northwest corner of the county. And
12 that entire subdivision is in the proposed area of
13 Golden. And I wanted to first thank the County, the
14 county departments for working with us to develop that
15 project and to bring it to completion. And I feel it's
16 been a really good thing for the area.

17 I'm for the formation of the City of Golden
18 because I feel that it allows me, the residents of
19 Hidden Prairie Subdivision, the citizens of the area,
20 the best option to protect our long-term property
21 rights. With what is north of county line, which is
22 what is coming from the metro Kansas City area, it is a
23 machine that's moving south. And it wants -- anything
24 that is unincorporated is a big risk to the citizens
25 because, basically, the citizens are sitting ducks with

1 no control.

2 And, again, I believe the best option for
3 the citizens' control is incorporation. There is
4 obviously a tremendous amount of support for this
5 movement. I think I'm maybe the 16th speaker tonight,
6 17, and so far there has been one opposed. I find it
7 interesting that the opposition lawyer, his strategy was
8 to consider large landowners the voice. Ultimately,
9 it's all about everybody's voice in the county. And so
10 far, it's fairly obvious the support from the public
11 response on the Internet to the response here that's
12 showing up. And the reasoning everybody feels the way
13 they do is because they understand their livelihood is
14 at risk. That's what everybody is trying to get across
15 is, what's to the north presents so much risk unless
16 we're afforded some control ourselves.

17 So I stand here and ask for your vote to
18 allow Golden to be incorporated and to allow us to
19 protect our property rights long term.

20 CHAIR ROBERTS: Thank you, sir. Next.

21 COUNTY CLERK WHITE: Mr. Peer.

22 CHAIR ROBERTS: Janet, why don't you call
23 off some more names. So be prepared to come up and sit
24 in the seating up here.

25 COUNTY CLERK WHITE: Stan Forck will be

1 next. Lesley Rigney. Mr. Lynn, but I think he left, if
2 anybody sees him. And then Joyce G-H-A-I-S-R-N-I-A, and
3 Indigo Williams. Thank you.

4 CHAIR ROBERTS: All right.

5 MR. CARL PEER: Good afternoon,
6 Commissioners. My name is Carl Peer. I live at 32695
7 West 215th Street. And I am attending this meeting
8 today with my wife, Patricia, to ask for your vote to
9 support the incorporation of Golden, the City of Golden,
10 Kanas, in Miami County. And I think we've all figured
11 out that that's between the Hillsdale Lake arms of Big
12 Bull Creek and Little Bull Creek. I've lived in the
13 area since 1959 when my parents bought a farm north of
14 Antioch store. And then my wife and I purchased land a
15 mile where from I grew up in the fall of '74.

16 We have observed the construction of the
17 LPKC intermodal facility since its inception. And back
18 then, the project's master plan indicated the facility
19 would be built north of I-35. As the project grew, a
20 variety of LLCs were formed under various titles, like
21 Wellsville Land and Cattle Company and the Hillsdale
22 Land Company and a variety of other titles designed to
23 mislead landowners and misrepresent the purpose behind
24 acquiring rural properties. As the years progressed,
25 the people began to see what was actually happening on

1 the land parcels being acquired. It became obvious that
2 these LLCs were shell corporations for the NorthPoint
3 Properties, Incorporated, out of Riverside, Missouri.
4 Their sole purpose was, and still is, to acquire as much
5 land as possible to erect warehouses and transportation
6 storage facilities, etcetera, to support the LPKC
7 intermodal facility.

8 I attended a meeting in Edgerton a little
9 over three years ago where I was begging and pleading
10 with a NorthPoint representative to just tell us where
11 it was going to stop. And he finally said, well, I can
12 tell that we have requests for over a hundred million
13 square feet of warehouse space. I pointed out that he
14 was talking about over 100 giant warehouses, to which he
15 replied, well, yes, but Gardner will get eight or ten,
16 Edgerton will get about the same. And surrounding
17 communities like Wellsville, Eudora, DeSoto, Paola, et
18 cetera, will all get some too. This was a bold-faced
19 lie. As the current land acquisitions proved, the
20 warehouses are all being built as close to the LPKC as
21 possible. Edgerton figured out how to jump over to the
22 south side of I-35 and the process of voraciously
23 annexing south and east of Gardner began.

24 My wife tried to organize a group of
25 concerned citizens three years ago but many of the

1 people shrugged off the information that she compiled
2 and believed NorthPoint would follow their original
3 plan. This was a terrible mistake. Very very seldom do
4 common citizens have a chance to defend themselves
5 against the intense power and the financial backing of
6 huge real estate developers like NorthPoint. That's why
7 we are extremely grateful to Jennifer Williams and her
8 efforts to organize us so we can protect what we love,
9 our homes, our rural properties, our properties, our
10 rural way of life, and the natural resources around us
11 like the Hillsdale Lake and its watershed area.

12 I would like to -- this isn't in the copy I
13 gave the lady outside but I sent the Commissioners each
14 an e-mail stating that my dad was a life-long educator
15 and farmer. He grew up in Edgerton with his brothers
16 and sister. He taught, he was a principal, seventh and
17 eighth grade teacher, and coach at Bucyrus and Fontana
18 from 1969 to 1974. And he loved the rural way of life.
19 He put together a pretty respectable herd of registered
20 Charolais cattle. And every year he tried to donate a
21 small calf to the Miami County youth, 4H youth program.
22 I think Kevin Debrick was one of the recipients one
23 year. But if he were seeing, if he were alive now and
24 seeing what was going on, he would just be appalled.
25 And I have talked to several people who are extremely

1 appalled at what Edgerton is doing. Gardner said --
2 voted down the intermodal. And they said, we don't want
3 it. Edgerton jumped up and said, we'll take it. And
4 they started annexing land. Instead of annexing land
5 around Edgerton -- there's hundreds and hundreds of
6 acres, even thousands of acres west and north and even a
7 little bit south of Edgerton. But they are protected by
8 the Johnson County Bull Creek Run Park and they're using
9 that park as a wall to the west, and the railroad
10 tracks, and Old 56 Highway to the north to shield
11 Edgerton from all of these giant warehouses. They are
12 lying to the people. They are saying that it would cost
13 \$100 million to build a bridge over the railroad tracks
14 and connect Old 56 Highway. I can point out three
15 interstate bridge demolition/rebuild construction
16 projects that don't even total up to half that much.
17 Anyway --

18 CHAIR ROBERTS: Sir, your time is up.

19 MR. CARL PEER: Oh. I'd just like to say it
20 is our sincerest hope that each one of you will
21 recognize the importance of our petition and vote to
22 allow the incorporation of Golden. Edgerton is annexing
23 and threatening to encircle Gardner. And this is our
24 last chance to stop them from heading south into farms,
25 rural properties and the Hillsdale Lake watershed we're

1 trying to protect. Thank you for your time and thank
2 you for your service to Miami County.

3 CHAIR ROBERTS: Thank you very much.

4 MR. STAN FORCK: I'm Stanley Forck. I live
5 at 26695 Harmony Road. I am not in this city at all.
6 But I don't want to be repetition about everything but I
7 think people, what I was concerned about, people have
8 already addressed. Like, I already can see how the
9 roads are deteriorating on Gardner Road every time you
10 go up it. And I'm concerned with the blight that will
11 be left behind when these warehouses decide to up and
12 leave. And I totally support this City of Golden
13 because I'm glad they're doing it before it's at my back
14 door. I mean, I'm miles away but it's coming. And it's
15 kind of up to you all to stop it. And there's a lot of,
16 like, I don't want my tax dollars to be spent tearing
17 down these warehouses when they up and leave because of
18 the lack of the tax abatements go away. So that's all I
19 had to say. I just want to kind of let everybody know
20 I'm for it.

21 CHAIR ROBERTS: Thank you, sir. Lesley,
22 you're up.

23 MS. LESLEY RIGNEY: All right. Can you hear
24 me okay?

25 CHAIR ROBERTS: Yes, ma'am.

1 MS. LESLEY RIGNEY: Good evening. My name
2 is Lesley Rigney. I'm a county resident. My address is
3 28936 Orchard Road in Paola. I'm also here as the Miami
4 County Conservation District Manager and the watershed
5 coordinator of the Hillsdale WRAPs project.

6 So you guys probably -- this County
7 Commission gets tired of hearing me talk, I'm sure, but
8 I was encouraged to come here tonight and register these
9 comments related to Golden. We're not taking a position
10 on whether or not you should approve the City of Golden
11 but I wanted to talk to you about the impact that the
12 warehouse development is having on the watershed and
13 what I hope you guys will consider, take into
14 consideration as you try to decide this.

15 So from a watershed and conservation
16 standpoint, it's important to note that with the newest
17 annexation and rezoning, impervious cover is set to
18 reach 20 percent. The 20 percent threshold in Bull
19 Creek subwatershed, which is a nearly 30,000-acre area,
20 the most critical subwatershed of Hillsdale Lake
21 watershed.

22 Impervious cover refers to any surface that
23 water cannot percolate through. So while small streams
24 and sensitive habitats may show adverse impacts at 5 to
25 10 percent impervious cover, the 20 percent threshold is

1 widely accepted as a critical benchmark where a cascade
2 of impairments start to be realized. So these include
3 the disruption of groundwater recharge, increased volume
4 and velocity of storm water beyond the capacity of
5 stream systems to handle, increased temperatures of
6 runoff, pollutant loading, and many others.

7 So these new impairments threaten, really,
8 all the designated uses of the lake but immediately and
9 especially the ability of the tributaries to support
10 aquatic life and the safety to allow body contact
11 recreation in the lake itself. Furthermore, we know
12 that these developers have inquired about numerous
13 additional properties in Miami County, all but
14 guaranteeing that this threshold will be far surpassed.

15 So for these reasons and many others,
16 including the loss of just huge quantities of farm land,
17 high quality farm land, we will continue to encourage
18 and advocate not for -- not pleading for no development.
19 We're not pleading for no development but what we are
20 asking for and encouraging is a natural resources
21 assessment of the impacts of the development and a new
22 current regional and inclusive plan to ensure that the
23 watershed and the lake itself are not any further
24 adversely impacted by the development.

25 And so, this is complex but it's, you know,

1 there are well-accepted and proven methods to mitigate
2 the impact of this development on streams and other
3 resources, including things such as constructed
4 wetlands, green roofs and other best management
5 practices to hold storm water on site, treat it and
6 allow for groundwater recharge. So none of these
7 practices are being utilized on these sites currently.
8 Detention ponds are not -- those are required on most
9 sites. That's not a storm water quality best management
10 practice.

11 So we, our -- we sincerely hope, the
12 conservation district, myself, a lot of our stakeholders
13 we're -- all of the Hillsdale watershed stakeholders are
14 not on the same page. Some people are for the city,
15 some are not for the city. So I'm not speaking on
16 behalf of all the watershed stakeholders in support of
17 Golden. But we hope that whoever manages this effort
18 will take watershed management practices into
19 consideration.

20 And then I get a lot of calls on this,
21 obviously. You guys can imagine and I know you do too.
22 But I hear a couple of misstatements very consistently.
23 Number one is, because the watershed effort is meeting
24 its nitrogen and phosphorous load reduction goals, we're
25 meeting our water quality goals. This does not mean

1 that this development is causing no adverse impacts. So
2 our work is based on a TMDL, which is a document that
3 was written to describe current impairments and
4 strategies to address those impairments. That was
5 written when this was an agricultural region. Okay. It
6 was not written since this development has happened.

7 CHAIR ROBERTS: Lesley.

8 MS. LESLEY RIGNEY: Yeah.

9 CHAIR ROBERTS: That's time. You want to
10 grant more time?

11 MS. LESLEY RIGNEY: I'm almost finished.

12 CHAIR ROBERTS: Okay.

13 MS. LESLEY RIGNEY: So previous good faith
14 planning efforts have not accounted for -- so the last
15 really inclusive regional plan that included natural
16 resource considerations was done, it was called the
17 Southwest Johnson County Area Plan, done, I think, back
18 in 2012. And the largest buildout scenario of this
19 warehouse development was to I-35. So that has
20 obviously been far exceeded, which means there is no
21 plan that has been a participative process --
22 participatory process that is guiding this development
23 or informing this development. So the idea that there
24 is a plan is incorrect. Anyway. So that's really all I
25 have to say. Thank you so much for your time.

1 CHAIR ROBERTS: We have a question.

2 MS. LESLEY RIGNEY: Yes.

3 COMMISSIONER VAUGHAN: Thanks, Lesley. For
4 a clarification, I'm curious. You talked about the 20
5 percent impervial goals.

6 MS. LESLEY RIGNEY: Impervious. Uh-huh.

7 COMMISSIONER VAUGHAN: We're there or we're
8 not?

9 MS. LESLEY RIGNEY: With the newly-annexed
10 sites at 215th, we are there. Yes.

11 COMMISSIONER VAUGHAN: So that's an
12 assumption that that's developing another warehouse?

13 MS. LESLEY RIGNEY: The warehouses that are
14 slated for development on that map that's been
15 circulating, yes, that will bring us to 20 percent.

16 COMMISSIONER VAUGHAN: The other
17 clarification then, when you talk about plans whether
18 the petition is approved or not, is that still
19 development in general? Because we've heard that there
20 was still an appetite for availability for development.
21 Regardless of what that development is, it would
22 increase that percentage. Correct?

23 MS. LESLEY RIGNEY: Right. Well, it's funny
24 because usually I'm here talking about the threat of
25 small lot development. And they're saying large lot

1 development. To me, that's small lot development. Out
2 in an agricultural area, you have a 20-acre residential
3 site, that's a small lot. That comes with its own set
4 of watershed impacts. A 20-acre livestock operation
5 comes with a serious set of watershed impacts. Right.
6 But we're not -- but that's for a different day.

7 COMMISSIONER VAUGHAN: Thank you for
8 clarifying.

9 CHAIR ROBERTS: Other questions from
10 Commissioners? Lesley, thank you very much.

11 COUNTY CLERK WHITE: Mr. Lynn.

12 CHAIR ROBERTS: Is Mr. Lynn still here? (No
13 response).

14 COUNTY CLERK WHITE: Okay. Then we'll go to
15 Joyce.

16 CHAIR ROBERTS: Janet, call off a couple
17 more names.

18 COUNTY CLERK WHITE: We have Joyce, Indigo
19 Williams, Paul and Stephanie -- I don't know if it's
20 Morrow or Harrow.

21 MR. HARROW: Harrow.

22 COUNTY CLERK WHITE: Sorry. Art Sweet and
23 Jerry Boan.

24 CHAIR ROBERTS: Go ahead, Ma'am.

25 MS. JOYCE GHASARNIA: My name is Joyce

1 Ghaisarnia. I live at 21725 South Waverly Road. We
2 have had land in Miami County for 20 years. I've lived
3 in Miami County for 10 years. When we first bought some
4 property, it had three and five-acre lots grandfathered
5 in. We took the one-time exemption to do a boundary
6 adjustment to bring those properties into alignment with
7 Miami County zoning. So when people talk about a city,
8 I think they have an undo impression that a city is
9 going to involve a lot of rules. The county already has
10 rules. One section was 40 acres. We could not divide
11 it unless we widened the side road or we made a mutual
12 entrance, which we did.

13 So that brings me to the point of, you guys
14 are here to do the best decision of what our community
15 is. And building a city does not mean that things are
16 going to change overnight. Everything's going to stay
17 the same. We had 286 signatures to petition for this
18 City of Golden. I am on the north-most corner, the
19 north side of the City of Golden. I can stand in my
20 yard and hear the construction. To the northwest of me,
21 there's going to be huge warehouses. To the northeast
22 of me, there's going to be huge warehouses. I am
23 actually blessed because my neighbors will have a
24 warehouse 1,200 yards from their back yard. I have a
25 row of trees. But the people on 215th, east of Gardner

1 Road, they're going to be looking right at the
2 warehouses.

3 And, yes, the opposition lawyer did say
4 there was a predator, that we were after a predator.
5 The name is Edgerton and NorthPoint. They flat-out lied
6 to the residents because NorthPoint actually applied for
7 a rezoning application a week before Edgerton even
8 approved the annexation. So there they lied to the
9 residents. So we've gone to, I've participated in a lot
10 of meetings with Edgerton. Everybody got shut down.
11 So, no, Johnson County could not protect those citizens.
12 And I don't know that, as the Commission here, you can
13 protect us. So, therefore, we want a voice and we had
14 no voice when the warehouses went in. But where we are
15 now, we want a voice. We're Americans and we can
16 choose. And that is what we want, is a voice. And we
17 ask you to approve the community of Golden. Thank you.

18 CHAIR ROBERTS: Thank you.

19 COUNTY CLERK WHITE: Indigo.

20 MS. INDIGO WILLIAMS: Hi. I'm Indigo
21 Williams. I live on 21993 South Moonlight, Spring Hill,
22 Kansas. And I just want to say that I've lived out here
23 for basically my whole entire life. And seeing it
24 basically go to pieces is heartbreaking. Edgerton,
25 NorthPoint and the warehouses will ruin my life if you

1 deny Golden. They say, home is where the heart is. My
2 home is here and so is my heart.

3 We came here in 2014 to live in a peaceful
4 country and every morning, when I wake up, I enjoy the
5 sound of the cows mooing and the smell of fresh manure
6 and watching trucks with hay bales drive by. I don't
7 instead want to see big industrial trucks going past my
8 house. I want to take walks without fear of getting
9 hurt or killed. Golden is the best place to be and it's
10 just so lovely out here.

11 We need to preserve our land and protect our
12 homes and farms. Because at least every year we get
13 hurt animals or stray cats and we take care of them.
14 And if the warehouses come in, then that will be
15 crushed. If they're, I'd hate it for -- since I have
16 around 24 chickens, they like to play in the road. And
17 if big industrial trucks come by, it could possibly kill
18 them and that would break my heart. And it's just, it's
19 just so lovely out here and the warehouses will ruin it.
20 And we've been out here for seven years. And it's the
21 perfect place to raise a family and have animals. And
22 it's just, the warehouses will ruin this, if you deny
23 Golden. They will infiltrate it and they will just take
24 over our homes. And there's already so many farms
25 becoming warehouses, I don't want mine to be one of

1 them. It would be just -- my whole family has always
2 lived in the city, mostly, and we came to the farm to
3 get away from the bright city lights and all the noise
4 and traffic. And the warehouses are, like I said,
5 they're just infiltrating it and they're taking it over
6 and acting like it's stealing candy from a baby but it's
7 not. And they think we give up easy but we don't. And
8 we started Golden so that we could have a chance to have
9 our homes protected and build a boundary around the
10 warehouses. And this is like -- I have raised
11 livestock, me and my family, and we just, we want to
12 keep it that way forever. And, like, the warehouses are
13 not too far from us. And watching all the big
14 industrial warehouse trucks drive past our road scares
15 me because one could crazily be driving down and crash
16 into our yard possibly when me and my friends are
17 playing. And it's just, they will ruin our farms, our
18 rural way of life. And it breaks my heart when I just
19 see all the farms and homes being destroyed and built
20 into big industrial warehouses. They could at least be
21 built into other houses that could at least have
22 something but warehouses. And if we don't stop it now,
23 then it will be hard to stop later. And thank you for
24 your time. That's it. (Applause).

25 | CHAIR ROBERTS: I'd say that's the best

1 speech of the night. Wouldn't you? (Applause). That's
2 very brave of you and well-said. Thank you.

3 Janet?

4 COUNTY CLERK WHITE: Paul and Stephanie
5 Morrow, Earl Allen, Art Sweet, and Jerry Boan are up
6 next.

7 MR. PAUL HARROW: My name is Paul Harrow,
8 22566 Bridlewood Lane. Thank you all for your time
9 today. It was said earlier that incorporation is a
10 dangerous precedent and I take exception to that.
11 Incorporation of a city is not a dangerous precedent.
12 It's not dangerous for Miami County. And I found that
13 to be an absurd statement. What's dangerous is what
14 Edgerton will do if we aren't allowed to incorporate.
15 They will annex a jigsaw puzzle of warehouses across our
16 beautiful area. And what we, the petitioners of Golden,
17 are saying is that we want to have a say in how our area
18 is developed. Because the development is coming to our
19 area, based on our location, and we want to have a say
20 in that. Thank you.

21 CHAIR ROBERTS: Thank you.

22 MS. STEPHANIE HARROW: Hello. Thank you for
23 letting me speak. You've obviously heard a lot of
24 agreement and some arguments for the incorporation of
25 Golden up to this point. The most important takeaway is

1 that your unanimous vote of yes to incorporate Golden
2 actually gives both parties what they want. Miami
3 County residents get to live in the country without
4 semis or warehouses surrounding them, and NorthPoint can
5 still build warehouses, just not in residential areas.
6 They have empty acres all over Kansas they can choose to
7 build on but not near our homes. So please vote for the
8 people and not against them and incorporate Golden.
9 Thank you kindly.

10 CHAIR ROBERTS: Thank you. Next.

11 MR. EARL ALLEN: My name is Earl Allen. I
12 live at 23816 South Gardner Road, Spring Hill, Kansas.
13 I'm going to start off by saying I'm no public speaker.
14 I'm supposed to imagine you all in your underwear and
15 that's not working for me. So it just don't work that
16 great.

17 So, anyway, I've been to every NorthPoint
18 and BNSF meeting since 2009, back when they were coming
19 to Gardner and then Edgerton. I wish I had seen some of
20 the people that are here now that are all of a sudden so
21 concerned that the railroad's in the area.

22 Where we lived on the dead-end road of
23 Waverly, and planned to die there, I moved the house
24 from the City of Lenexa down there and set it up on the
25 north side of I-35, which is now Amazon buildings over

1 the top of that. So I've been through it. And I will
2 tell you right now, if they had offered to pay me 10
3 times for what I know the value of the ground is worth,
4 I would say, sell it to them 10 more times. They didn't
5 devalue my land at all.

6 Now, while I empathize, I do not see
7 NorthPoint as a monster like everybody is talking. The
8 property values in Gardner/Edgerton have never been
9 higher. They can't even keep real estate on the market
10 for more than three or four days. When they list a
11 house, it's gone just immediately. And then it's also
12 bidding up on sales. You can ask about any real estate
13 agent and they'll tell you that it's hard to find houses
14 for sale in the area. And most of them are selling for
15 more than what they're listed for.

16 So, let's see. I do not see how a city is
17 going to do anything positive for anyone, that to stop
18 NorthPoint from being able to build, other -- there's no
19 reason for the city other than to try to stop the
20 warehouses. Like I said, I'm not a public speaker.

21 Listening tonight, I have just a couple of
22 questions. You are not going to stop the truck traffic
23 on Gardner Road. 223rd, 231st are connector roads and,
24 as you well know as Commissioners, you cannot regulate
25 that truck traffic on that road. They put fuel in their

1 gas tank from -- or fuel tank from the station and they
2 pay 40 cents a gallon extra for fuel tax; they can
3 travel the roads. So they pay the taxes to drive on the
4 roads.

5 I see the -- they also have in their city
6 limits the Corps of Engineer land. I didn't know you
7 could annex Corps of Engineer land into your city but
8 maybe I don't know. But that's the Corps of Engineer
9 land is inside their boundary. And Hillsdale watershed
10 has not been damaged in any way by the warehouses. They
11 have done extensive studies on that. And FYI for the
12 gentleman that spoke about the bingo and the golf was
13 talking about the golfing community of Linn Valley Lake.
14 It is not the Linn Valley city that we referenced in the
15 pamphlet that you have. There are two separate
16 entities. One is an POA, property owners association.

17 CHAIR ROBERTS: Earl, your time is up. Can
18 you button it up?

19 MR. EARL ALLEN: Well, thank you. I
20 appreciate your time and what you all do.

21 CHAIR ROBERTS: Thank you. Who's next,
22 Janet?

23 COUNTY CLERK WHITE: Art Sweet. No?

24 CHAIR ROBERTS: Let's go to the next person.

25 COUNTY CLERK WHITE: Jerry Boan.

1 CHAIR ROBERTS: Jerry, are you here? Moving
2 on.

3 COUNTY CLERK WHITE: And no Lloyd Lynn,
4 right? Ernie Riggs. Oh, sorry. Mark Ross.

5 CHAIR ROBERTS: Is Mark Ross here?

6 MR. MARK ROSS: I am.

7 CHAIR ROBERTS: Who will be after Mark?

8 COUNTY CLERK WHITE: Ernie Biggs.

9 CHAIR ROBERTS: Mr. Biggs, if you're here,
10 you want to get ready?

11 COUNTY CLERK WHITE: Or Riggs. I'm not
12 sure.

13 MR. MARK ROSS: Good evening, Chairman and
14 Board of Commissioners and all the people out here with
15 bright yellow t-shirts. My name is Mark Ross and I live
16 at 30105 West 231st Street. I've been a resident of
17 rural Miami County for 23 years along with my wife,
18 Nattie Ross. So I'm speaking for her and also for the
19 many people who wanted to be here tonight but who had
20 commitments.

21 Both Nattie and I enjoy the freedom to live
22 in the rural environment and pay our taxes to the
23 county. We go to the fairs and small-town parades,
24 which we enjoy. Lately, over the last three or so
25 years, we've seen a disruption to our way of life and

1 our freedom by way of greedy big business and officials
2 in Edgerton, Kansas, allowing giant warehouses a million
3 square feet strong to change the peaceful environment
4 and landscape forever. This too will be coming to Miami
5 County if we do not act now. It is our right as
6 citizens of Miami County to live free. We support the
7 incorporation of Golden, a class 3 city, into Miami
8 County. Please vote yes for the City of Golden.

9 Finally, a short reading of scripture.
10 Thessalonians 3:3 But the Lord is faithful and he will
11 strengthen you and protect you from the evil one. Thank
12 you, Lord, for your strength and protection over my
13 home. Thank you.

14 CHAIR ROBERTS: Thank you, sir.

15 COUNTY CLERK WHITE: Ernie Riggs or Biggs.

16 CHAIR ROBERTS: Ernie Biggs or Riggs, are
17 you here? All right. Go to the next person.

18 COUNTY CLERK WHITE: Ashlynn Smith.

19 CHAIR ROBERTS: Ashlynn Smith. As she makes
20 her way, Janet, do you have two more names you can read
21 off?

22 COUNTY CLERK WHITE: Yes. Charlotte O'Hara.

23 CHAIR ROBERTS: Ms. O'Hara, are you still
24 here? You will be right after this young lady.

25 COUNTY CLERK WHITE: Joshua Sanderson.

1 CHAIR ROBERTS: Mr. Sanderson, if you'd make
2 your way down.

3 COUNTY CLERK WHITE: Jonathan Chitwood.

4 CHAIR ROBERTS: Mr. Chitwood, if you're
5 here, please make your way down.

6 MS. ASHLYNN SMITH: Hello. I'm Ashlynn
7 Smith. I live at 21954 South Waverly Road, Spring Hill,
8 Kansas. I am for Golden. The current warehouse threat
9 on people, animals and plants in this area is alarming.
10 According to Kansas Wildlife, Parks and Tourism, Miami
11 County has 16 species that are endangered and 11 species
12 that are threatened, many of which include mussels.
13 Mussels, if you don't know, are very beneficial for
14 aquatic ecosystems, feeding on algae, plankton and silt.
15 They are also a great food source for many other aquatic
16 and sub-aquatic species including ducks, muskrats,
17 raccoons, herons, and egrets. If the warehouse is going
18 in and we don't become Golden, many species that call
19 the state park at Hillsdale Lake home could become
20 injured and could die as a result of water and air
21 pollution caused by trucks and warehouses themselves.
22 Also, many State animals live in this park. Also many
23 State animals live in this area, including the Western
24 Meadowlark and the Ornate Box Turtle, that I have seen
25 on my own property with my own two eyes. These animals

1 are protected by -- yeah. These animals are protected
2 statewide. Monarch butterflies, the iconic orange,
3 black and white patterned beauties, migrate through this
4 area every year. They're very important pollinators
5 that continue many generations of plants and animals,
6 including humans. They are very -- they pollinate wild
7 flowers and agricultural crops, including beans,
8 tomatoes and more. They also help flowers seed, which
9 plant the next generation of plants that help feed
10 native herbivores and humans. But, sadly, these tiny
11 but mighty creatures are declining in population. And
12 other species I've seen on my property is salamanders
13 and mud puppies. These are what we call indicator
14 species, which show that if you find them, the water
15 source you found them in is healthy and clean. The
16 water source I found them in is a creek that runs
17 through my property. The one that thing all of the
18 mentioned species have in common is that they would all
19 be wiped out from this area due to increase in truck
20 traffic, water pollution, air pollution, and levelling
21 and filling of hills, creeks and ponds. If you know
22 anything about the current climate crisis that is facing
23 our world today, you know this kind of behavior from
24 companies cannot be tolerated. These are innocent lives
25 that we would be destroying for something as small and

1 miniscule as money. Furthermore, our state park that we
2 are very proud to be living by could be contaminated and
3 destroyed as well as hobbies and health of the people
4 around it. Hillsdale Lake is a huge resource that we
5 could use for drinking water, food and fun. I think I
6 can speak for everyone on the side of Golden. Instead
7 of destroying what we love and depend on, we should be
8 protecting it and respecting it the best we can. Thank
9 you.

10 CHAIR ROBERTS: Thank you. (Applause).

11 MS. CHARLOTTE O'HARA: That's a hard act to
12 follow. Charlotte O'Hara, 15712 Windsor Street,
13 Overland Park, Kansas. I view the people here that are
14 fighting for their rights to live as they wish to live
15 and deserve to live as patriots. They are standing up
16 against the great leviathans of industry: Amazon, Jeff
17 Bezos, BNSF, Warren Buffett. These are forces of huge,
18 huge, immense wealth. And for a small group of people
19 to be willing to stand up against these forces is
20 unbelievable and I congratulate them. I congratulate
21 that they have the courage to come before you and beg,
22 beg you to allow them to have a chance.

23 If you incorporate Golden, Golden can, they
24 can negotiate with developers that wish to come in to
25 their city. Edgerton cannot renegotiate with

1 NorthPoint. They cannot. They are already, they are in
2 contractual agreements. Sixteen cents a square foot is
3 what they're paying in lieu of taxes. I own two small
4 industrial buildings in Olathe, 40 years old, gravel
5 parking lots. I pay \$2 a square foot. They are paying
6 16 cents a square foot. They are getting abatements of
7 100 percent on utility taxes, franchise taxes, excise
8 taxes that all goes into the public infrastructure fund
9 to pay for their development cost.

10 This is ridiculous. It is absolutely
11 ridiculous what is happening. Johnson County has been
12 totally ineffective of protecting the residents there.
13 The conservation area of southwest Johnson County has
14 been obliterated and there hasn't even been a whimper,
15 not a whimper. You've heard what these huge, huge
16 warehouses -- we can't even wrap our heads around this.
17 These are million-square-foot facilities. This is not
18 about job creation. This is not about building
19 communities. This is about bottom line, period. Who do
20 you represent? Do you represent the big corporate
21 interest? Are we now in a corporatocracy that the
22 corporations are running our government? We have to
23 stop this. We have to say no. And I know that this is
24 a Hail Mary. Everyone here knows it's a Hail Mary. But
25 listen to your constituents. Give them a chance. If

1 they want that type of development, again, they can
2 negotiate with the developers.

3 And another thing with Edgerton. No other
4 developers can go in to Edgerton and get the same deal
5 that NorthPoint has. How is that fair? It's a one, it
6 is a one-company town. The 1,700 people that live
7 there, their police is provided by Johnson County
8 Sheriff. Fire districts are their fire departments.
9 They are not providing these services, the county is.
10 So, please, please consider this. Give these residents
11 a chance. Give them a chance. Thank you. (Applause).

12 CHAIR ROBERTS: Ms. O'Hara, just to clarify
13 for the record, are you the same Ms. O'Hara that's a
14 county commissioner in Johnson County?

15 MS. CHARLOTTE O'HARA: Yes, I am. But I am
16 here as a private citizen. Yes, I am a commissioner.
17 Yes.

18 CHAIR ROBERTS: I just wanted to clarify for
19 the record, you are a county commissioner.

20 MS. CHARLOTTE O'HARA: Yes, third district.
21 Oh. I do want to add that Gardner has come down to
22 199th Street for a fire wall against Edgerton. Spring
23 Hill is terrified that they are going to go over and
24 encroach on their area. So anyway, my two cents.

25 CHAIR ROBERTS: Thank you for your time.

1 Janet, who's next?

2 COUNTY CLERK WHITE: Joshua Sanderson.

3 CHAIR ROBERTS: Mr. Lynn? We'll have him
4 step right up in just a moment. Are you asking him now?

5 COUNTY CLERK WHITE: If you want to.

6 CHAIR ROBERTS: Go ahead. Go to the
7 microphone.

8 MR. LYNN: I'm Lloyd Lynn. And my farm
9 headquarters is at 215th and Gardner Road. And that's
10 our headquarters. We farm over several counties and
11 that's our headquarters. We've been there 40-some
12 years. And so we've got a big investment. We have our
13 own -- it's all, it's a farm, grain elevator facility.
14 We have a state-licensed livestock facility. Miami
15 County has served us well. And I don't see any reason
16 to change at all. I think, you know, it's kind of
17 ridiculous because NorthPoint can't condemn and Edgerton
18 has never annexed anything that was not voluntary. So
19 as long as, as long as you don't sell to them, nothing
20 is going to happen. I have no intention at all of ever
21 selling for that. We've got too much invested there, a
22 lot of money in our facilities. And I don't have any
23 choice but to fight it to the very end and see that it
24 never happens. Thank you.

25 CHAIR ROBERTS: Thank you, Mr. Lynn.

1 (Applause).

2 MR. JONATHAN CHITWOOD: I feel like I'm on
3 the Price is Right. Hello, everybody. Jonathan
4 Chitwood, 27196 West 223rd Street. I've seen people
5 come up here and give a little bit of an origin story so
6 I think it's fair for me to do as well. My mother's
7 from Dirt Poor, Oklahoma; my father's from Dirt Poor,
8 Oklahoma, so I had double recessive redneck jeans and I
9 moved to the country.

10 So many people have covered so many of the
11 points already, so I'm just going to free fall a little
12 bit here and hopefully make it as brief as possible. I
13 would speak with my wife if I -- for my wife if I could.
14 She's not here, so I will dutifully let you know if I
15 say anything she would disagree with. So assume that
16 she agrees otherwise.

17 Right now, business for warehouses is good.
18 It's so good. The pandemic has really showed us the
19 weakness of just-in-time production and manufacturers
20 across this country are looking to shear up and shorten
21 their supply chains. And the reality of where that's
22 going to happen is going to be in the warehouse, in
23 transportation. If they could move those materials just
24 a little bit slower and get them stored without them
25 having to build big warehouses of their own, of GMs, of

1 manufacturers of the world, it's going to be these
2 logistic parks that are warehousing these things.
3 They're going to be warehousing 90 days worth of
4 inventory instead of 30 days anymore. So when
5 NorthPoint came in and said, hey, we want to build 18
6 million square feet in this area, that plan's gone out
7 the window. That's gone. Money is free. This land out
8 here is easy to get, once you divide people. And that's
9 what they're doing. They're dividing us and I hate it.
10 I hate that neighbors are against neighbors. It's
11 terrible. It makes me really sad.

12 And so, folks, this is, it's bad and it's
13 only going to get worse. So where I'm really at is,
14 this is a referendum for you. You're at a decision
15 point. You either have to decide this area of Miami
16 County is going to be warehouses or you're going to have
17 to decide that it's going to be rural residential.
18 That's really the choice that you're facing. It's as
19 simple as that.

20 Now, I've talked to some of you before this
21 all blew up. And the challenges that we face,
22 especially during the pandemic, of Internet, those are
23 starting to go away. The new satellite Internet, which
24 I have, I've recorded speeds up to 196 meg. I've got
25 speeds 56 meg, up. People can work remotely. I have

1 real estate agents who have contacted me to try to get
2 me to sell my house. And you know what the reality is?
3 And it hurts me to admit this. If my kids didn't have
4 two more years of high school, I would have sold and run
5 and let it be the next person's problem. And I'm
6 ashamed that I feel that way. I'm ashamed that I feel
7 like I need to run away from my home. So please vote
8 for Golden.

9 CHAIR ROBERTS: Thank you, sir.

10 COUNTY CLERK WHITE: Call for Joshua
11 Sanderson again.

12 CHAIR ROBERTS: Joshua Sanderson. Who is
13 after Joshua?

14 COUNTY CLERK WHITE: Fred Fraley.

15 CHAIR ROBERTS: Fred. And next after Fred?

16 COUNTY CLERK WHITE: Devin Self.

17 MR. FRED FRALEY: Fred Fraley. I live at
18 22750 Moonlight. And that's right across from where
19 they're redoing the water plant. I've lived with that
20 going on for quite some time. So I know what
21 development is and things like that. Down Moonlight, I
22 have three farms. Unlike some of the people here, I
23 have a few more acres than they do, approximately 700
24 down Moonlight Road.

25 I've heard the rural - didn't make any

1 notes, it will be short - rural country setting. I've
2 heard it over and over and over again, you know, from
3 people that have two acres, five acres, fifteen acres.
4 And I appreciate them enjoying my farms. But the rural
5 setting is provided by farmers. And by saying all the
6 farmers need their hands tied, they don't need to sell
7 to anybody, or something like that, like somebody
8 previously said, they came in, paid them a lot more than
9 they could get out of the land by dividing it up into
10 two-acre lots, 10-acre lots, that's a windfall of the
11 farmers that have purchased land, put farms together
12 over years to be able to do. I don't want to feed
13 cattle, I don't want to harvest hay the rest of my life.
14 That is -- what I would like to do, I'd like them to
15 live out here and I'd like to live out here and I'd like
16 to do with my land what I see fit to do with my land.
17 And I applaud anybody that bought out here. It's a
18 beautiful place. But please understand there's two
19 roads. Somebody that takes care of this much property
20 so we can call it rural country setting, I think, needs
21 to be heard as far as what they want to do with their
22 property. It is America and justice for all. Thank
23 you. I have nothing else to say.

24 CHAIR ROBERTS: Thank you, sir. Who is
25 next, Janet?

1 COUNTY CLERK WHITE: Darren Self.

2 CHAIR ROBERTS: Darren, are you here?

3 MR. DEVIN SELF: It's Devin, actually. Good
4 evening, Commissioners, my name is Devin Self. And I
5 live just north of County Line Road and my property
6 would touch the boundary of Golden. And I strongly
7 support the formation of the City of Golden. Mayor
8 Roberts stated in his response to Golden that, due to
9 growth demands, it is certainly possible that annexation
10 could result in his city extending into Miami County.

11 No county can stop a landowner from annexing into
12 another city and rezoning into a logistics park because
13 of the Kansas home rule, which passed in 1960, empowers
14 cities to self-govern on issues such as annexation and
15 rezoning, leaving the county powerless in these matters.

16 The incorporation of Golden is the only
17 option residents have to protect themselves by electing
18 a representative government that can give them a voice
19 and a seat at the table. I think most here would agree
20 that decisions made for our communities should be made
21 by the people who make up that community. No longer
22 would another city, miles away, be able to dictate the
23 future of this community that we dearly love.

24 I also hear this claim that taxes are going
25 to significantly increase for the residents. I don't

1 know where these thoughts are coming from. According to
2 the League of Kansas Municipalities, in 2017, of the 625
3 incorporated cities in Kansas, over 80 percent of them
4 are of the Third Class, which would be the same as
5 Golden. And over 50 percent had populations of less
6 than 500, whereas Golden would have 700. So how are
7 these cities able to afford and justify incorporating?
8 I believe it would be the Board's best interest to
9 settle this matter as soon as possible given that this
10 was the single most stated reason for those that were
11 against the formation of the city.

12 So in closing, I believe it is your
13 constitutional obligation to protect the health, safety
14 and welfare of the residents of your county. Golden is
15 the way to do that. And I only -- and it's the only way
16 to hold power or hold the power. Only you guys hold the
17 power to make that happen. To steal lyrics from one of
18 my favorite songs: It has to start somewhere, it has to
19 start sometime; what better place than here, what better
20 time than now. Thank you very much for your time.

21 CHAIR ROBERTS: Thank you, sir. Who's next,
22 Janet?

23 COUNTY CLERK WHITE: Okay. We've made it
24 through. We do have the ones that had signed up and
25 said they were going to speak that haven't yet. Joshua

1 Sanderson, if he's still here. Jerry Boan, B-O-A-N.
2 Art Sweet. And Ernie, either Biggs or Riggs.

3 CHAIR ROBERTS: Let's say that you came in
4 today, signed up, but did not sign that you wanted to
5 speak. Now is your opportunity. Anybody that has not
6 already spoken. Yes, ma'am. Step right to the
7 microphone. I will be asking that question again in a
8 few moments. So think through it, see. If you have not
9 spoken, we would love to hear from you. Yes, ma'am.

10 MS. STACI COOK: Staci Cook, I live at 30130
11 Pinecrest Drive, currently Spring Hill, but it would be
12 within the newly, the new Golden area. We're asking --
13 I mean, when my family and I moved where we are five
14 years ago, we did it to get out of the city. My husband
15 and I both grew up in the country and we had hoped to
16 raise our kids in the country. Over the course of the
17 last six months, as I've been attending Edgerton
18 meetings, it's become clear that they intend to just
19 take over the whole rural residential/ag/conservation
20 district that their comprehensive plan has our area laid
21 out as. Southwest Johnson County's plan does as well as
22 the Miami County comprehensive plan. So it seems that
23 the only option we have at this point is to establish
24 the City of Golden. And we would ask that you would
25 support that. Thank you.

1 CHAIR ROBERTS: Thank you, ma'am. Is there
2 any individual who would like to speak? Yes, sir. This
3 gentleman right here. Then, young lady, we'll come to
4 you.

5 MR. LEONARD WILLIAMS: Thank you all. My
6 name is Leonard Williams. Me and my wife live at 22826
7 Bedford Road. I've got several neighbors here. I'm
8 going to go back to the gentleman before, a few back. I
9 mean, we've been contemplating selling our place and
10 making it somebody else's problem ever since the
11 warehouses came in. I know I've got five neighbors
12 thinking the same thing. And we've actually, me and my
13 wife, have been contemplating beating them to the punch.
14 Because when we first moved out here, we would tell our
15 friends and stuff that come see us, watch out for the
16 deer. Now we're telling them, watch out for the semi
17 trucks. So, I mean, if anybody is ready to buy a house,
18 we're thinking about moving south. So thank you all for
19 your time.

20 CHAIR ROBERTS: Thank you, sir. Young lady.

21 MS. RAMONA SLOCUM: My name is Ramona
22 Slocum. I live at 31872 West 217th Street. What I'd
23 like to say, I'm a realtor. And they are saying how
24 it's not affecting property values but I just sit back
25 there right now and I looked up some of the houses that

1 are across from those warehouses on 207th. They did not
2 go for 30 and 40,000 above listing price like things are
3 going right now. They went below listing price. So I
4 just want to clear that up. If you think the value of
5 those houses near the warehouses are going at or above
6 listing prices like everything else is, not true. A
7 fellow agent that has worked with some of those people
8 that are across from some of those warehouses has stated
9 that she has seen them go for 20 percent less than what
10 market value should be.

11 The other thing is that, it was brought up
12 about Linn Valley. And they tried to say that Linn
13 Valley City and Linn Valley Lakes -- it's the same, same
14 thing. Linn Valley Lakes is Linn Valley City. That is
15 the community. So it's not different. They brought it
16 up in their packet that it was so expensive. Well,
17 yeah. They're supporting a golf course. They're
18 supporting a clubhouse. They're supporting a swimming
19 pool. They decided they wanted to have their own post
20 office. So it's a completely different situation there.
21 Fontana, which was brought up by us for Golden, is
22 probably closer to what you would see for what we're
23 looking at for Golden.

24 So thank you for your consideration. I
25 would ask you to vote yes for Golden. We would really

1 appreciate it. We're some of the ones that are really
2 close. The back of our property line is the
3 Miami/Johnson County border and Polaris is just right at
4 our back door almost. And the only thing that's
5 stopping it from being right at our back door is another
6 property that, with the annexing, could possibly go.
7 And we have a bunch of timber that's breaking it up for
8 us that maybe we won't be looking at them. But if any
9 of the farmers around us, across the road, down the
10 street, sell, we're going to be looking at those
11 warehouses. And I didn't move out there -- and maybe I
12 don't have 700 acres, maybe I only have 10, but I've
13 lived there for 34 years. I did not move out there
14 after the contingency plan was put into effect. I've
15 been out there 34 years and I didn't move out there to
16 look at a warehouse or to have to watch semi trucks
17 whizzing down the road. Thank you.

18 CHAIR ROBERTS: Thank you.

19 COUNTY CLERK WHITE: All right. So, again,
20 just Joshua Sanderson and then Jerry Boan, Art Sweet,
21 and then Ernie Riggs or Biggs are who we are already
22 looking for. Then we have Erin Miller, Ryan Miller,
23 Jessica Pecenka maybe? I'm sorry. I'm sure I've got
24 that wrong. And then Alex Pecenka.

25 CHAIR ROBERTS: Any of those folks here?

1 You can come to the microphone and state your name and
2 address.

3 MS. JESSICA PECENKA: Hello. My name is
4 Jessica Pecenka. I live at 223rd and Cedar Niles. I
5 appreciate you guys taking the time to listen to us
6 tonight. I know you guys have heard a lot of things on
7 e-mail, in person, on phone calls. And I appreciate you
8 guys taking the time to listen to everyone. I moved out
9 here, just like a few of the other speakers, because I
10 love the rural area. My husband and I, we grew up on
11 the farm and want to raise our kids on a farm. And I'm
12 not talking a few chicken and ducks. I'm talking a
13 working farm to teach them some values and what hard
14 work means. And so I know our rural area has a lot of
15 opportunities in the Golden area. I know one thing that
16 you're looking for is, what's our population going to
17 grow, what can we contribute as a City of Golden? Well,
18 the population is already growing in that area with
19 large-acreage homes being built, which is bringing in
20 tax money. We don't need warehouses to come into our
21 area. We've got the large-acre homes. We've got people
22 with small businesses in that area that can provide that
23 tax money as well. The area is growing. And so I hope
24 you take that into consideration when you think about
25 the warehouse, a huge concrete structure, sitting across

1 someone's property versus people who are contributing to
2 the community and society, people that live in the
3 community, not people that are driving from Missouri or
4 KCK. So I hope you consider that.

5 We have very nice rural areas. We have the
6 lake area. I'm very concerned about the roads and the
7 condition. You can drive right along Gardner Road in
8 Gardner, over the bridge, and see how terrible those
9 roads are. And they're not maintained. And who's going
10 to pay for that? We're going to pay for that as
11 taxpayers. And I don't think it's fair that we pay for
12 that. We will have all the people who currently come to
13 Hillsdale Lake. And I know people who live on the other
14 side of 223rd are dealing with Overland Park and that
15 pressure. But it's a little different over here. We've
16 got boats, we've got jet skis. We have people coming to
17 the lake to enjoy themselves. And now they deal with
18 semi traffic which is incredibly dangerous. I
19 personally have pictures on my cell phone of a semi
20 stopped on 223rd two times. I don't know if you've
21 driven that road very often, but there's no shoulder
22 between Spring Hill and Gardner Road. So it is
23 incredibly dangerous to have these semis on the road.

24 Speaking of Hillsdale, I think it's
25 important that we preserve the natural land area and the

1 boundaries that are around there. With Hillsdale
2 watershed, I know that some warehouses are already built
3 in that. It's really funny because when I see the, I
4 think it's Bull Creek Park, all the time on Facebook,
5 they say, sorry, our trails are closed, they're too
6 muddy, please don't come; sorry, our trails are closed,
7 they're too muddy, please don't come. Is that from
8 water runoff? I don't know, I'm not a professional.

9 But I can't help but think the concrete has something to
10 do with all of the mud and the closure of those trails.

11 Speaking of Hillsdale, I know there has been
12 several small towns around where we're proposing a town
13 that are in favor of Golden being a city. And so I
14 think the leadership that's in those small towns, for
15 them to say that they support us in our efforts is
16 something that should be taken into a huge
17 consideration.

18 As a landowner with property rights, I'm
19 requesting that you vote yes on the City of Golden. I
20 have property rights just like the farmers do. And I
21 appreciate farmers because I grew up on a farm. And I
22 appreciate all the hard work that they do and the
23 concerns that they may have with trucks and other things
24 coming through. But if that land is annexed, there is
25 nothing stopping annexing moving closer and closer to

1 the lake, closer to our homes. So I'm asking you to
2 consider and think about the property rights of us in
3 this room as land owners as well. Thank you so much.

4 CHAIR ROBERTS: Thank you. The next one? I
5 don't see people lining up here.

6 COUNTY CLERK WHITE: Ryan Miller.

7 MS. ERIN MILLER: My name is Erin Miller and
8 I live at 22382 South Cedar Niles and it's just on the
9 edge of the proposed Golden border.

10 COMMISSIONER DIXON: Step closer to the
11 microphone.

12 MS. ERIN MILLER: Can you hear me now?
13 Okay. I'm Erin Miller. I live at 22382 South Cedar
14 Niles and I am in favor of Golden. The warehouses are
15 north of where we are right now. And I definitely have
16 concerns. This, in time, it may affect our property
17 value. But my biggest concern at this point is
18 definitely the semi traffic. I have two 14-year-old
19 twins that are just starting to drive. And, again, like
20 Jessica mentioned, there's no shoulders on 223rd. And
21 so they are pretty nervous getting out there with the
22 semis that are constantly coming down the road. So I
23 would ask that you vote in favor of Golden.

24 CHAIR ROBERTS: Thank you, ma'am.

25 COUNTY CLERK WHITE: Ryan Miller.

1 CHAIR ROBERTS: Ryan Miller.

2 MR. RYAN MILLER: My name is Ryan Miller and
3 I live at the same address as my wife. That's a little
4 joke. But my big concern, too, is the truck traffic.
5 And I have talked to a couple of you guys on the phone
6 and -- but, yeah, the truck traffic down 223rd scares
7 me. I mean, there's no shoulder and the ditches are
8 anywhere from 5 to 30 feet deep. So and I'm -- well,
9 when I'm driving with my kids, when they're driving,
10 they scare me too. But I'm always telling them, stay
11 out of the ditch. You know. But when the trucks come,
12 I tell them to get over as much as you can and slow down
13 and stop because it is dangerous.

14 And I am worried about property values too.
15 I don't want to tell somebody else what to do with their
16 property but, there again, I don't want to see our
17 property devalued either. So if you're not going to
18 vote for Golden, it would be nice to figure out some
19 compromise for truck traffic and future property values
20 for all of this. Thank you.

21 CHAIR ROBERTS: Thank you. There was a
22 young lady over here that wanted to speak.

23 MS. LORI BOBKI: I like how you said, young,
24 also. Thank you. Hi. My name is Lori Bobki and I live
25 at 22737 Bedford Road. There's my neighbor there. And

1 we bought our property back 28 years ago, built our
2 dream house. My husband drives an hour away just
3 because he wants to live in the country and he works in
4 the city. We've raised two kids. We fish every
5 weekend, or we used to fish every weekend. My daughter
6 wanted a pony; we got her a pony. My son had a dirt
7 bike. It was paradise. And then the kids got grown up
8 and moved and we're still happy. We have a quiet empty
9 nest.

10 However, the traffic. I teach in Gardner.
11 I drive Gardner Road every morning. I hit the traffic
12 coming into the intermodal at 191st and I cross the
13 bridge. And there's people coming from everywhere but
14 the local area to work at the intermodal. Those license
15 tags have Wyandotte County, well, wherever they're
16 coming from, they are not local people working at the
17 intermodal. And they take the shortcut just to try to
18 get there the fastest way because they're all running
19 late. The traffic is horroshus (sic). Somebody is
20 going to get hurt, a bus is going to get hit. And that
21 frightens me daily.

22 My kids ask me, my students ask me, where do
23 you live, Mrs. Bobki. And I say, well, I kinda live in
24 the twilight zone. I live at the edge of Gardner school
25 district. I have a Spring Hill address but then I do

1 all my city business in Paola. So I live in the
2 twilight zone. But if we could incorporate and call
3 this Golden, I would love to tell them, I live in a
4 wonderful community called Golden and we're all such a
5 close-knit community, we have values, we have upbringing
6 of our wonderful kids. And it's going to be a cherished
7 community and it's going to be a tight-knit community.
8 But right now it's just the twilight zone. So please
9 help us change this into a wonderful tight-knit
10 community.

11 CHAIR ROBERTS: Thank you very much.

12 COUNTY CLERK WHITE: Alex Pecenka had marked
13 that he wanted to speak as well.

14 MR. ALEX PECENKA: Hi. I'm Alex Pecenka.
15 It's pretty close. I've heard it every which way.

16 COUNTY CLERK WHITE: Sorry.

17 MR. ALEX PECENKA: I live there at 223rd and
18 Cedar Niles with my wife. The main thing I wanted to
19 talk about today or tonight was the truck traffic coming
20 down 223rd. We've been out there about two years now.
21 Even over the last two years, I've been seeing an
22 increase in truck traffic. We too have two young kids
23 that are learning to drive and there's no way you can
24 get away from a semi if he's in the middle of the road
25 or sliding over the center line at you.

1 The property values, I want to talk about
2 that a little bit too. I don't want to tell anybody
3 what to do with their property but, you know, I can't
4 imagine people that want to move out to the rural
5 community and enjoy peace and quiet are going to want to
6 see a big concrete structure right across from their
7 property. And, you know, a lot of people that want to
8 move out there, they don't want the big 700 acres or 80
9 acres or 600 acres. They want the 10, 20, small hobby
10 farms so they can enjoy that life. And, you know, the
11 warehouses don't want to come in and buy those little
12 spots. They'll build right around them and then you'll
13 wind up with a 10-acre house with structures all the way
14 around it. So I ask that you vote for Golden. Thank
15 you.

16 CHAIR ROBERTS: Thank you, sir. The
17 Commission is going to take a five-minute break, please.

18 (THEREUPON, a brief recess was taken).

19 CHAIR ROBERTS: Thank you for being patient
20 with us. Let's start our testimony or our conversation
21 again. We have a list of names that we have to call
22 because we absolutely don't want to miss anybody that
23 wants to speak tonight.

24 Janet?

25 COUNTY CLERK WHITE: Joshua Sanderson.

1 CHAIR ROBERTS: If you're here, just make
2 your way down here, please.

3 COUNTY CLERK WHITE: And if you're here and
4 you don't want to speak, just raise your hand and wave
5 at us. Jerry Boan, B-O-A-N, Art Sweet. That makes me
6 want to sing like from Chitty Chitty Bang Bang. And
7 Ernie Biggs. Okay.

8 CHAIR ROBERTS: Okay. So you're here, you
9 have not had the opportunity to speak or your name
10 wasn't called. Who would like to speak? Sir, make your
11 way to the podium. And is there anyone else behind Tom?

12 MR. TOM BACH: Thank you. My name is Tom
13 Bach. I live at 32010 West 231st, Spring Hill. I
14 wasn't going to speak but there has been a lot of
15 inaccuracies stated that I wanted to clear up.

16 My property is not in the city, proposed
17 City of Golden. They excluded me, I guess, because they
18 knew that myself and my neighbor, Randy Fruits, were not
19 interested in being in a city. And I had many friends,
20 old constituents, when I was township trustee and some
21 other positions, call me and want to know, what do you
22 think about the city; we want to be in the city. And I
23 said, well, you need to organize if you don't want to be
24 in the city because the Petitioners are very well
25 organized, as you've seen tonight. And we held a couple

1 or three town hall meetings with these people that are
2 against being in a city and came up with our eight
3 points that are in your packet that you've seen earlier
4 from the opposition. But I want to clear up a couple
5 things that were totally wrong and ill-spoken here from
6 the Petitioners.

7 First of all, with our assessment of a
8 \$750,000 budget, proposed budget for Golden that we
9 proposed or feel could be, that was predicated on the
10 Linn Valley, Kansas, city. Linn Valley city is totally
11 separate from Linn Valley Lakes, their property owners
12 association that's within the gated community. Linn
13 Valley city has a current budget of \$686,000. The
14 property owners association, Linn Valley, has a budget
15 of one and a half million dollars. That includes the
16 golf course, the 135-acre lake and five or six other
17 lakes, the roads within the gated community. So there
18 are two separate budgets. The budget that you're
19 looking at in your pamphlet is for Linn Valley city.
20 And as you can see, the line item budgets in there have
21 nothing to do with a casino, have nothing to do with
22 anything other than the efficiently operating budget of
23 a city. And the proposed City of Golden is saying that
24 we're going to have minimal services. I don't know of a
25 city ever been proposed or formulated in Kansas, that

1 I'm aware of, that hasn't had some kind of a proposal to
2 provide services for the city. Golden has nothing. I
3 want to know where's the city hall going to be; who is
4 going to be the mayor; who wants to be the mayor? I've
5 heard who wants to be the mayor. Where's all the
6 infrastructure; where's all the boards; where's all the
7 appellates? Edgerton pays over \$480,000 for one deputy,
8 24/7, to take care of the Edgerton city limits. What's
9 this going to cost Golden? Are you telling me no
10 budgets? Give me a break. We all know what cities have
11 to operate. They have to have a budget. They have to
12 have money to operate. They have to restrict your
13 rights by city ordinances which are a lot of times
14 greater than what any county ordinance would be. And on
15 top of that, where are these property rights of the
16 landowners to say, we don't want to be in a city.
17 You've seen the map. You've got a nice map there that
18 says that approximately 4,300 acres, 3,000 of which is
19 within the city boundaries, proposed boundaries, of
20 property owners that say where's our property rights; we
21 don't want to be in a city; we don't want anymore
22 constraints on our property and our rights than what the
23 county imposes on us now. So they want you to preserve
24 their property rights at the expense of the other
25 property rights.

1 So I think our pamphlet is very forthcoming
2 and very telling to you. And I know you can see all
3 that. But I wanted to clear up some of these
4 distortions and out-and-out falsities that have been
5 presented. I wasn't going to speak but I can't let it
6 go. So I'm going to ask you just to look at the facts.
7 It's not only a Golden city for today or tomorrow or
8 next year. It's a city forever. And you're telling me
9 that in 5 years or 10 years or 20 years, as things
10 change and evolve and administrations change, the taxes
11 aren't going to be horrendous to operate this city? I
12 mean, it's preposterous. So I hope that clears up some
13 of the distortions and misrepresentations that have been
14 made by the proponents. And I understand it's an
15 emotional issue for everybody. Thank you.

16 CHAIR ROBERTS: Thank you, sir. (Applause).
17 Is there anyone else who has not already spoken who
18 would like to speak? Yes, sir.

19 MR. FRANK BANNISTER: Hello. My name is
20 Frank Bannister. I live at 19815 South Gardner Road,
21 Gardner, Kansas. And I have the wonderful privilege of
22 watching hundreds of semi trucks go in front of my
23 property. And I feel my house rumble every time one of
24 them goes by. And there's no reason for these trucks to
25 even be coming down Gardner Road where I live. That's a

1 side bar. But the City of Edgerton and NorthPoint that
2 has created this intermodal has invited these trucks to
3 come and deliver goods and services there. I happen to
4 like Amazon. My wife likes it a lot too. I get a
5 package every other day at my house. The problem is,
6 what NorthPoint and Edgerton are wanting to do, when
7 they jumped south of I-35 and started moving east and
8 encroaching into rural residential land, it's a misfit.
9 It's like putting a concrete warehouse or a concrete
10 plant in the middle of Paola, Kansas. And I don't think
11 anybody would want that. I went door to door in
12 Edgerton just asking that question, if anybody would
13 mind if we put a concrete plant in your nice city, in
14 your fair city, and they laughed me off of their porch.
15 And I said, well, that's exactly what your city is
16 wanting to do to the rural residents of Johnson County
17 is to put warehouses in a place where they don't fit.

18 Now, what's going to happen, NorthPoint will
19 come knocking on your door. They're not going to knock
20 on your door but they'll knock on the doors of property
21 owners. And large property owners do not make up the
22 majority of people living in southern Johnson County and
23 in northern Miami County. Not even close. So you have
24 hundreds of small property owners, 10 acres and less.
25 Those are the kinds of residences that NorthPoint and

1 Edgerton are trying to invade right now. And it's a
2 misfit. I'm sure you're aware of the Golden Criterion.
3 It's 1978 Supreme Court ruling that says any time that
4 land is going to be developed and rezoned, there are
5 criteria that are supposed to be looked at to see if it
6 is a proper fit. And you probably know this or you
7 might want to know this, the City of Edgerton developed
8 18 points as their Golden Criterion. And I read them.
9 And I've petitioned the city to look at them because
10 there is not one word in their 18 points that have
11 anything to do with rural residents and the negative
12 impact to the residents. And the Golden Criterion is
13 supposed to ask the question, is this a proper fit to
14 put this development in this area where they want to go.
15 The answer is no. That's going to happen to Miami
16 County and then they're going to create points. And
17 they're not going to be for the residents, they're going
18 to be for themselves. So you have a chance right now to
19 say no to commercial development. One of the best ways
20 you can do it is to approve the City of Golden because
21 that will stop the creation of rural residential land
22 being turned into commercial development. It is not a
23 good fit.

24 And the issue about taxes and who's going to
25 run the city and all that, that is going to be worked

1 out. And that can work. And right now the county
2 services are what would provide those needs for the City
3 of Golden. It's not a big deal as some would -- today
4 as some would make it out to be. But you have an
5 opportunity to stop the encroachment of commercial
6 development on rural residential land by voting yes for
7 Golden city. So I've sent you all letters. I hope you
8 took the time to read them. But I beg you to vote yes
9 for the City of Golden.

10 CHAIR ROBERTS: Thank you, sir. (Applause).
11 Is there someone else who would like to speak? Any
12 other person who has not spoken, would you like to step
13 to the podium or microphone and give us your name and
14 your address and speak to your Commissioners? We will
15 be here until 8 o'clock.

16 Just as a reminder, if you have heard
17 something tonight that you want to take issue with, we
18 stated early in the evening that you are welcome to make
19 those statements in the letter form and send it to the
20 county clerk. She'll post it to our website.

21 MR. KAUP: Mr. Chairman, are you ready to --
22 have you heard the last speaker tonight?

23 CHAIR ROBERTS: I'm asking our citizens, is
24 there anyone who has not spoken who would like to speak?
25 If I see no takers then --

1 MR. KAUP: Mr. Chairman, what I was going to
2 -- my recommendation is that because we're allowing a
3 week's time to respond to what we heard tonight, I think
4 technically we need to keep the hearing open. So you
5 continue the hearing to a week from today and continue
6 the hearing to the next County Commission meeting. And
7 at that point in time, you can go through the
8 formalities of closing the hearing.

9 CHAIR ROBERTS: That would be June the 30th,
10 a week from today.

11 MR. KAUP: And I think the notice provided
12 indicates folks could submit responses up until the time
13 of closing of the clerk's office, 4:30, on Wednesday.
14 And that's fine. You can go through the motion at the
15 next Commission meeting to close the hearing and still
16 accept anything that's submitted by 4:30.

17 CHAIR ROBERTS: That would be next
18 Wednesday.

19 MR. KAUP: Correct.

20 COMMISSIONER PRETZ: No one would be allowed
21 to talk?

22 MR. KAUP: Yeah. The purpose of the
23 continued hearing, to be clear about it, is to take
24 responses, as you've said several times. They need to
25 be in writing. No e-mails.

1 CHAIR ROBERTS: Written responses. Is what
2 you're talking about?

3 MR. KAUP: Right. Responses to what folks
4 have heard tonight. Hopefully that would be all new
5 information rather than repeated. But it would also
6 include any materials submitted between now and 4:30
7 next Wednesday in the county clerk's office and anything
8 submitted to the Commissioners on the spot.

9 CHAIR ROBERTS: Are Commissioners good with
10 that?

11 COMMISSIONER PRETZ: Just to clarify, there
12 won't be any written testimony?

13 CHAIR ROBERTS: Right. So between now and
14 the end of business next Wednesday, June the 30th, the
15 County Commissioners will accept any written testimony
16 in response to or in addition of the information that
17 you might gain or have and you want to get to us. That
18 information should be provided to the county clerk
19 either directly by mail or walk it in or e-mail it. The
20 county clerk will then post it to the county website for
21 all of us as well as you to see. And would that
22 conclude our meeting tonight?

23 MR. KAUP: I've got to have the last word,
24 Mr. Chairman. What's the Commission's desire? A number
25 of folks prepared remarks and I don't know if we have

1 copies of very many of those. There is a few copies in
2 the cage there.

3 CHAIR ROBERTS: I believe they caught them
4 when they came in the door. That's why you may not have
5 much here. They would have been provided at the door.
6 Those will be provided and provided to our county
7 website as well for any and all to see. As well as, I
8 think this document was handed to us. We'll find a way
9 -- this is the one from the opposition. We'll find a
10 way to get that posted to our website as well.

11 So I want to do one more call for any
12 citizen who would like to speak before we -- it's called
13 sine die. It's not sine die. We're just going to --

14 MR. KAUP: A motion to continue the hearing.

15 CHAIR ROBERTS: A motion to continue it in a
16 written form through next Wednesday.

17 (THEREUPON, an off-the-record discussion was
18 had).

19 CHAIR ROBERTS: I'm going to call another
20 time. Is there any citizen who would like to speak?

21 So, for the record, I want to identify, I
22 think we have, as Janet checks with -- I think we have
23 Channel 4 News here today. Is that correct? Yes. And
24 we have some other news reporters here tonight. Who are
25 you with, ma'am?

1 UNIDENTIFIED FEMALE: The Star.

2 CHAIR ROBERTS: The Star. And?

3 UNIDENTIFIED FEMALE: Gardner News.

4 CHAIR ROBERTS: Gardner News. And the Miami
5 County Republic. And I promised not to embarrassed her,
6 but this is my granddaughter. She's the editor of the
7 Paola Panther Newspaper at the high school. So don't,
8 don't embarrass her, please. I just did. Yes, I did.
9 But let's give our news people a hand because they have
10 been very patient with us. (Applause). And then
11 because I don't think any of you want this job, this
12 young lady, Denise, has been amazing. And she has kept
13 a detailed record of every word, sometimes way too many
14 from us, have spoken. And that transcript, once it's
15 delivered and posted to the county website, I challenge
16 you to read it.

17 So this meeting, at this point, it's not
18 really adjourned. We're just adjourning to next
19 Wednesday. I want to make sure I clarify that.

20 COMMISSIONER PRETZ: I so move.

21 COMMISSIONER DIXON: Second.

22 CHAIR ROBERTS: Moved and seconded. All
23 those in favor say, aye. (Response). Motion passed.
24 We are concluded this afternoon.

25 (THEREUPON, the hearing was adjourned at

1 7:30 p.m.).

2
3 C E R T I F I C A T E

4
5 STATE OF KANSAS)
6)
7 COUNTY OF SHAWNEE)

8 I, Denise M. Haas, a Certified Shorthand Reporter of
9 the State of Kansas, do hereby certify that I was
10 present at and reported in machine shorthand the
11 proceedings had on the 23rd of June 2021, at the Paola
12 Middle School, 405 North Hospital Drive, City of Paola,
13 County of Miami, State of Kansas.

14 I further certify that the foregoing transcript is a
15 true, correct and complete transcript of all the
16 testimony and proceedings aforesaid.

17 IN TESTIMONY WHEREOF, I have hereunto set my hand at
18 my office in Topeka, Kansas, this 6th day of
19 July, 2021.

20 /s/ Denise M Haas
21 Denise M. Haas,
22 Certified Shorthand Reporter
23
24
25

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