

2018 Core Principles:

United States federal, state and local governments have a partnership through which many governmental services are funded and made available to citizens. This partnership is dependent upon stable funding, decision-making at the appropriate level and by removing barriers to efficient and effective access to services. Johnson County strongly supports the following core principles as the means to an effective and improved partnership among each level of government.

Maintain Financial Stability for County Governmental Services

Many critical county government services are financed by the federal and state government and subsequently provided by local governments. As a key service provider in many policy areas, Johnson County seeks federal and state appropriations at levels adequate to provide these services. Furthermore, Johnson County opposes reductions in funding for services that result from actual reductions in absolute appropriations, as well as cuts in “real dollars” which result from a lack of inflationary adjustments.

Oppose Unfunded Mandates

Johnson County supports minimizing the financial and staffing implications of “devolution,” the passing down of responsibilities to counties by the state and federal governments. Instead the county seeks funding for mandates and reasonable periods of time to phase in new funded responsibilities.

ACTION AGENDA PRIORITIES

Top Three Action Priorities

1. **Sunflower Army Ammunition Remediation and Redevelopment:** Johnson County encourages the continued support of efforts for the full remediation and environmental clean-up of the Sunflower Army Ammunition Plant and return of that facility to productive local development and use.

Background. The Sunflower Army Ammunition Plant is a 9,000-acre area located within a growth corridor of Johnson County. The site represents almost 8 percent of the county’s current unincorporated area. The Sunflower property is approximately the size of the city of Leawood – the county’s fifth largest city and the 13th largest city in Kansas. Leawood has a population of more than 34,565 residents, more than 13,340 homes, 10 schools and a thriving business community to support the local economy, enhance job growth and provide tax revenues for all levels of government. The Sunflower Plant was used off-and-on from the 1940s through the 1990s as an ammunition plant by the U.S. Army, primarily making propellant for various forms of ordnance. In November 1997, the Army declared the property as surplus and began a lengthy process to dispose of the property. As a part of the disposal process, the county and other local public entities requested, and were granted, 2,755 acres as public benefit transfers, with the primary beneficiaries being the Johnson County Park and Recreation District (2,000 acres) and the University of Kansas (500 acres). Prior to any disposal, including the public benefit transfers, the Army was required to

remove all explosive risks and provide remediation from many pollutants and contaminants present at the site from the Army's use.

After a failed attempt to negotiate a transfer through the Oz Entertainment company in 2001, the county sought and obtained state legislation to create a Redevelopment District at Sunflower, and, in 2003, the county notified the General Services Administration that it would acquire the property through a negotiated transfer. In 2004, Congress passed a bill, at the county's request, which specifically authorized the Secretary of Defense to transfer the property by contract to a developer designated by Johnson County. The county then designated SRL as the developer and entered into a pre-development agreement. SRL and the county completed negotiations for the transfer of the property from the Army to SRL (with transfers to the public benefit transferees) in 2005. SRL took possession of the property under a process, approved by the governor, (early transfer) which allowed the Army to transfer the property prior to completing its responsibilities for complete clean-up of the property, and the Army contracted with SRL for SRL to perform both the explosive risk removal and the environmental remediation, with the Army paying approximately \$109 million. Completion was expected in 2012, and full environmental insurance was in place to cover contingencies. In 2010-2011, SRL ceased work at the site, and the remediation work was not near completion because of lack of funds. Negotiations commenced again with the Army to obtain additional funds for the clean-up work. In 2015, the Army announced that it would resume the clean-up with different contractors and anticipated a completion date of 2028. The Army now has contractors on site performing work, mainly explosive risk removal.

Current Issues and Concerns. The county has a number of current issues and concerns, including:

- **Funding.** It is imperative that adequate funding be made available by the Army to complete the explosive risk and the remediation. There is no longer insurance, and the only financial assurance for the clean-up is Army funding, which is not always certain. Those funds need to be identified now and committed to Sunflower. Annual allocations only increase the uncertainty.
- **Timing.** The Army must be encouraged to move more quickly to complete the remediation. The year 2028 for completion is way too long. At a minimum, the public benefit transfers should be expedited. If funding is available, there is no reason that the full clean-up cannot be completed much sooner.
- **Parcelization.** The county has always had a concern that the property would be cleaned and transferred in parts. When that happens, the property cannot be planned or developed as a whole. Parcelization is in direct conflict with the county's position and outstanding agreements. Any attempt to transfer and develop the property in parcels should be done only with discussions with the county and only when consistent with the county's overall planning for the area.
- **Public Benefit Allocations.** The Public Benefit Transfers should be honored and given priority at this time.
- **Clean-up Standards.** The Army should follow the county condition that the property be essentially cleaned to residential standards. While the Army does not want to set that precedent and be bound by that standard, to clean the property to

a lesser standard will potentially leave issues and rework requirements for future development.

- **On-site Disposal.** While the county has in the past opposed any on-site disposal of pollutants or contaminated soils, the county has informed the Army that it now is willing to consider on-site disposal of pollutants or contaminated soils if there are valid reasons and measurable benefits from doing so.

Redevelopment of the Sunflower property provides opportunities for constructing homes for tens of thousands of county residents, providing schools, businesses and parks, and other economic benefits by moving the property from idle acreage, generating few tax dollars, to public and private development as quickly as possible.

2. **Water Quality Improvement Act of 2017:** Johnson County supports the passage of the Water Quality Improvement Act of 2017

Background: The Water Quality Improvement Act of 2017 offers both a technology-based and water-quality-based approach to help municipalities manage peak wet weather events in a cost-effective manner that is protective of the environment and public health and consistent with Clean Water Act requirements.

The proposed legislation would:

- Authorize the Environmental Protection Agency (EPA) to modify secondary treatment standards for peak wet weather flows within collection systems to allow Publicly Owned Treatment Works (POTWs) to use alternative peak wet weather treatment technologies and management approaches based on approved wet weather management plans;
- Authorize the EPA to issue information and guidelines for alternative technologies and management approaches for peak wet weather flows within collections systems, including alternative treatment methods, collection system operation and maintenance programs, and monitoring and reporting systems;
- Clarify the state's authority to develop wet weather water quality standards; and,
- Authorize the EPA to issue guidance for state development of wet weather water quality standards.
- Incorporate integrated planning concepts into the Clean Water Act.
- Incorporate the potential for extending the Clean Water Act permit terms beyond five years.

3. **Fixing America's Surface Transportation (FAST) Act:** Johnson County recognizes the importance of our nation's transportation infrastructure and supports the full funding of the FAST Act bill for its authorization period. Johnson County also supports the components of the transportation program that provide funding in a dependable and strategic manner for investment in multi-modal transportation infrastructure and operations.

Background: There are many needs for road infrastructure improvements in Johnson County: US 69 lane additions, lane additions on 1-35 in the BNSF area, US 169/K7 access control improvements, and K-10 lane additions and cable barrier, among other examples. Of particular interest to Johnson County are the

improvements needed on 1-35 at the 75th Street interchange. In this area the lanes are reduced which creates immense bottlenecks during peak traffic hours. The situation has worsened to the point where there are often backups occurring during off-peak hours. Federal funding for this project is a priority for Johnson County.

2018 Legislative Positions

Taxation and Administration

- 4. Tax Exempt Status of Municipal Bonds:** Johnson County supports the current tax exemption for municipal bonds.

Background: Municipal bonds are the primary method used by states and local governments to finance public infrastructure projects. Any change to the taxation status of this debt impairs the abilities of counties to develop local infrastructure projects. The total projected cost to Johnson County would be over \$150 million dollars based on current projects approved and anticipated to be bonded in the next couple of years.

- 5. Streamlined Sales and Use Tax (Collection of Sales and Use Tax from businesses that sell their products to customers in a state, using the Internet, mail order, or telephone, without having a physical presence in that state):** Johnson County supports federal legislation requiring sellers (with no physical presence in a state) to collect and remit sales tax. It would establish uniformity among the states' sales tax laws in regard to the collection of sales and use taxes on remote retail sales by mail order, telephone and the Internet based on destination-based sourcing rules, sourcing sales to the location where the purchaser receives the item. Retailers who ship or deliver items to their customers' locations will be required to collect the local sales tax in effect where delivery is made. Any federal legislation should include language that distributes the funds to the state, counties and cities using existing state statutory formulas.

Background: Passage of federal legislation would provide an estimated \$2.36 million in sales tax to Johnson County Government in the first year of full implementation, sales tax remitted as follows: local, \$366,404; public safety, \$1,352,460; stormwater, \$287,375; and the Research Triangle, \$359,219.

- 6. Employee Benefit Annual Contribution Limits:** Johnson County supports increasing annual contribution limits for employer-provided retirement plans and employee Flexible Spending Accounts.

Background: Current contribution limits to some individual retirement accounts have not increased in several years, creating an inability for employees and employers to increase retirement savings contributions. Current tax incentives that encourage retirement savings should be protected and expanded upon.

Johnson County supports legislation to give employers greater flexibility in designing benefit plans that more appropriately meet the needs of their workforce. Limits and

penalties placed on Flexible Spending Accounts (Dependent Care and Medical Reimbursement Accounts), Health Savings Accounts and Health Reimbursement Accounts reduce employees' ability to actively manage their needs, causing them to use higher-cost plans to ensure coverage for high-cost years while their typical needs may be significantly less. Specifically, Johnson County urges consideration of increasing annual contribution and rollover limits.

- 7. Affordable Care Act (ACA) Excise Tax:** Johnson County supports repeal of the excise tax under the ACA on employer-provided health care plans.

Background: A Presidential Executive Order has been issued to suspend the excise tax and fees on employer-provided health plans. The excise tax and fees under the ACA increased costs to Johnson County and its employees. We support Congress taking legislative action to formalize the Executive Order.

- 8. Tax Exempt Status of Employer Provided Health Benefits:** Johnson County supports the current tax exemption on employer-provided health coverage benefits under Section 125 of the Internal Revenue Code.

Background: Proposed legislative options to replace the Affordable Care Act have included increasing taxes on, or provided for full taxation of, employer-provided health plans. Up to 68 percent of all Americans rely on employer-provided health plans. These plans include not only medical, dental and vision plans, but also health savings, health reimbursement and flexible spending accounts. Increasing taxes on these plans leads to higher plan costs and potentially lower plan benefits for employers and employees.

Public Safety

- 9. Violence Against Women Act:** Johnson County supports the ongoing funding of the S.T.O.P Violence Against Women Act (VAWA).

Background: Last year Johnson County received \$83,248 through VAWA, of which District Court received \$43,000 and SAFEHOME was awarded \$40,248. The funds are crucial in maintaining a specialized domestic violence court and providing advocacy services to victims of domestic violence involved in our court system. In 2017, there were 1,571 domestic violence cases filed in Johnson County. Johnson County, along with SAFEHOME as a partner, initiated the Lethality Assessment Program (LAP) in 2011. That year there were seven domestic homicides; in 2017, there was only one.

- 10. Second Chance Reauthorization Act of 2017.** Johnson County supports the reauthorization of the Second Chance Reauthorization Act (H.R 2899).

Background: The Second Chance Act represents a federal investment in strategies to reduce recidivism and increase public safety, as well as to reduce corrections costs for state and local governments. The bill authorized federal grants to state, local and tribal government agencies and nonprofit organizations.

Infrastructure

11. Wastewater Management Programs and Legislation: Johnson County supports full funding of state revolving loan programs for water and wastewater infrastructure projects, a revised affordability evaluation system, and integrated municipal storm water and wastewater planning for compliance actions.

Background: Johnson County supports full funding of the State Revolving Funds Loan (SRF) program. Since its inception, Johnson County has utilized over \$119M in SRF loans to provide system improvements yielding better water quality, more growth, and greater communities overall. The most recent SRF loan project included new sewers at Gardner Lake. Johnson County supports codifying integrated planning with a revised affordability assessment. Johnson County has continued to invest in its sanitary sewer system working to maintain the lowest life cycle cost and seeking keep customer rates affordable. Integrated planning, particularly through Clean Water Act permits and not enforcement action, will allow Johnson County the flexibility to prioritize our water quality obligations and balance those needs with other investments in our system.

12. Farm Bill: Johnson County supports provisions in the farm bill passed in 2014 that include plans to strengthen conservation programs that encourage reduced sedimentation runoff. We also support the continued funding for federal nutrition programs.

Background:

- **Sedimentation runoff:** Agriculture land management plays a significant role in water quality as well as preservation of wildlife habitat, outdoor recreation opportunities and utility infrastructure and operating costs. Provisions included in the farm bill that support conservation programs to help protect water quality by addressing nutrient and sediment pollution are important to reducing the cost impact to Publicly Owned Treatment Works (POTWs). Nutrient removal from wastewater requires POTWs to invest significant funds for treatment. Although discharges of nutrients from wastewater treatment plants account for a portion of nutrient pollution in our waterways, the cost of removing nutrients from wastewater treatment facilities can be several times greater than the cost to remove the same amount of nutrients from agricultural land. Funding for conservation programs would protect water quality from nutrient pollution and require recipients to refrain from farming highly erodible soils.
- **Nutrition Assistance Program:** Johnson County supports the federal nutrition program outlined in Title IV of the Farm Bill and opposes future cuts to the program. In Johnson County, 6,945 children rely on the Supplemental Nutrition Assistance Program (SNAP) every month. SNAP is this nation's most effective anti-hunger program. The program enables low-income households to afford adequate, nutritious foods. Fruits and vegetables, grain products, meats and dairy products comprise nearly 90 percent of the food that SNAP

households buy. Johnson County Food Policy Council believes that all programs under Title IV of the Farm Bill are critical to ensure food access for all Johnson County residents.

13. Support Funding for State and Local Homeland Security Programs: Johnson County supports restored funding for state and local homeland security programs.

Background: Congress has reduced funding for these programs, and as a result, many urban areas, including the Kansas City area, have lost much of their grant funding. Over the past decade, Johnson County has directly benefited from the Kansas City Urban Area Security Initiative (UASI), a federal grant program designed to develop specialized capabilities, systems and programs to prevent, protect, mitigate, respond and recover from terrorism and other threats and hazards that affect the area. The Kansas City region has established an effective homeland security program, and the loss of UASI program funding will have critical impacts over time in reducing the ability of the region to prevent and respond to acts of terrorism and other man-made and natural disasters. Losing this funding source jeopardizes both mass casualty preparedness and homeland security. Loss of funding will impact the county's ability to prevent, protect, mitigate, respond and recover from all threats and hazards.

Legislative support for continued homeland security grant programs is needed because of the threats and hazards, combined with the presence of critical infrastructure and multiple transportation corridors in the Kansas City area that make it a potential target, in addition to the risk posed due to population size within the city and region. The state, local and federal government have invested significant time and money to develop the capabilities that currently exist. Restoration of some federal funding to larger metropolitan areas would allow current critical capabilities and systems to be minimally sustained.

14. Federal Aviation Administration's Air Traffic Control: Johnson County Supports Maintaining Federal Aviation Administration's operations for Air Traffic Control

Background: Johnson County is home to two of the busiest towered general aviation airports in Kansas, including Johnson County Executive Airport in Olathe and New Century AirCenter in unincorporated Johnson County. We oppose legislation that would place business and general aviation's access to our nation's airspace and airports under the control of an unelected and unaccountable board with no Congressional oversight. Additionally, advocates for House Resolution 2997, which was introduced in 2017, have suggested this change is being advanced for it will increase efficiency and reduce bureaucratic structure. However, when one reviews the bill's language, there are still a number of committees within the nonprofit structure as well as areas that need the Secretary of Transportation's sign off which could result in very little, if any, efficiency being created.

Health and Human Services

15. Medicaid Block Grants or Per Capita Caps: For more than 50 years, Medicaid funds have assisted states in developing community-based services for vulnerable populations. In Johnson County, Medicaid funds have been of great benefit to our residents, whether through enabling health care coverage for disadvantaged children and families, developing an array of mental health services or creating a network of community-based supports for people with disabilities. Proposed changes to Medicaid funding to states should ensure that the quality of services and supports currently in place will not be diminished, either through a reduction of funds, or a narrowing of access to, these vital programs.

Background: Johnson County Government relies on Medicaid funding for many of our core human services functions, such as services for those with mental illness or intellectual or developmental disabilities, as payment for those accessing emergency medical services through Med-Act, for preventive health care services through the local health department and for assessing the need for services for the frail elderly, traumatically brain injured and those with physical disabilities. Medicaid reimbursements for these services are critical for Johnson County to maintain high quality services for these priority functions.

16. Federal Housing Assistance: Johnson County urges Congress to maintain or increase federal housing assistance to support low-income families, the elderly and persons with disabilities. Further, Johnson County requests consideration of more flexibility from the United States Department of Housing and Urban Development (HUD) in determining Fair Market Rents, Housing Choice Vouchers (HCV) authorized, and HOME property valuation limits.

Background: According to calculations by the Economic Policy Institute, income needed to maintain an economically secure household in the Kansas City metropolitan area is \$30,000 a year for a one person household, and over \$60,000 a year for a family of three or four. Nearly 60 percent of the jobs in the metropolitan area do not reach those thresholds.

Fifty-five thousand (26 percent) of Johnson County's 220,400 households are cost burdened by paying more than 30 percent of their income on housing; renters account for more than half of those cost-burdened households. An increase in Housing Choice Vouchers would help to lower the numbers of cost burdened renters but HUD has been historically inflexible in granting additional vouchers to Johnson County (the number of vouchers has held at 1,447 for many years).

About 5,000 of the County's vulnerable have a disability, defined by the U.S. Census Bureau. People with disabilities are twice as likely to live in poverty as the non-disabled population and often require financial assistance to meet their daily living needs. Likewise, the rapidly growing demographic of people over the age of 60 currently stands at approximately 120,000. Many in this demographic may have future service needs related to housing assistance.

It should be noted that Johnson County, Kansas' real estate markets behave independently of the other counties which comprise the Kansas City, MO-KS Fair Market Rent (FMR) area. Flexibility in determining Fair Market Rents would be helpful in allowing HCV holders to find decent housing options in de-concentrated areas. Providing flexibility in determining HOME Program property valuation limits would allow more home owners to be eligible for the program, leading to more safe and stable housing options, especially for elderly home owners.

17. Mental and Behavioral Health: Johnson County supports the following issues regarding mental and behavioral health:

- Promoting federal initiatives that support public education on mental illness and addiction such as the Mental Health First Aid Act.
- Ensuring implementation and expansion of federal funding for community behavioral health organizations, as outlined in the Excellence in Mental Health Act.
- Promoting and funding financial resources and incentives to help states and local governments expand drug treatment, prevention and recovery efforts, as in the Comprehensive Addiction and Recovery Act.
- Preserving funding for other important behavioral health programs such as the Substance Abuse Prevention and Treatment Block Grant and other programs funded by the Substance Abuse and Mental Health Services Administration.
- Working to ensure that behavioral health providers are eligible for health information technology incentives, as in the Behavioral Health IT Act.
- Protecting federal funding for Medicaid and protecting beneficiaries and providers.
- Ensuring behavioral health's full inclusion in health reform implementation.

Background: Federal, state and local governments have a partnership through which critical mental health services are funded. This partnership is dependent upon stable funding, preserving decision making at the appropriate level, and removing barriers to efficient and effective access to services. We strongly support these core principles as the means to an effective and improved partnership, to promote public policies that support a strong addition and mental health safety net.