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Happy New Year!

Want to see this VOTER in living color? Visit our website at www.lawrenceleague.com or email nobledog@aol.com to receive it in PDF format by email.

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League of Women Voters
P.O. Box 1072
Lawrence, KS 66044-1072



The VOTER

Bulletin of the LWV of Lawrence-Douglas County, KS • Volume 59 No. 3
The League of Women Voters is a non-partisan political organization encouraging the informed and active participation of citizens in government and influencing public policy through education and advocacy.



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League Calendar

Saturday, January 21st	7:00 PM	Land Use Committee Meeting. Community Mercantile Meeting Room, 901 Iowa St.
Saturday, January 28th	10:00 AM	Program Planning Meeting. Fire Station, 19th & Iowa St.
Saturday, February 4th	10:00 AM - Noon	Tax Study Meeting, Lawrence Public Library 707 Vermont St
Thursday February 9th	7:00 PM	LWV-L/DC Board Meeting. First Methodist Church 946 Vermont St. All League members are welcome to attend.
Wednesday February 15th	8:00 AM - 2:30 PM	League Day at the Capitol. Kansas Bar Association Building, 1200 SW Harrison St. Registration form and more information on page
Wednesday February 15th	Noon	Brown Bag Lunch Honoring Susan B. Anthony. Lawrence Public Library 707 Vermont St. Please see article on page 2.
Saturday, February 25th	7:00 PM	Land Use Committee Meeting. Community Mercantile Meeting Room, 901 Iowa St.
Saturday, March 3rd	11:30 AM	Helen Fluker Award Luncheon. Smith Center, Brandon Woods, 4730 Brandon Woods Terrace. Please see article on page 2 and nomination form on page 3.
Saturday, April 21st	11:30 AM	LWV-L/DC Annual Meeting, Smith Center, Brandon Woods, 4730 Brandon Woods Terrace.

A Note from President Kay Hale

The LWV-US has put together a list of **Election Year Resolutions/Hopes** for the upcoming year. You may have seen them in an email from President Elizabeth MacNamara. Even so, I want to call your attention to these resolutions. I will paraphrase four of them here. Then I will identify mechanisms our League has in place to implement them.

- **Ensure that all eligible voters are registered to vote.** Melinda Henderson is chair of Voter Services Committee. If you want to be involved with registering voters please contact Melinda.
- **Educate the electorate on the candidates and issues on their ballots and help them find their polling places.** I am pleased to announce that LWVKS will implement VOTE 411, a website providing election-related material across the entire state. Local leagues will develop questions for their local candidates and the candidates' answers will be posted on the website. The State League will develop questions for congressional candidates and their answers will be posted as well.
- **Encourage informative and productive debates between candidates.** The Lawrence League is involved with planning debates through its participation in the Voter Education Coalition.



•**Fight to make sure that election outcomes are determined by voters not by special interest money.** In this effort, we rely on LWV-US to take action on our behalf. Specifically, LWV-US is opposing H.R. 3463, legislation that would repeal the presidential public financing system AND terminate the Election Assistance Commission.

In closing, I want to celebrate the success of our local fund raising letter. More than \$1,500 has been received from members and supporters! **THANK YOU** to all who contributed!

Have a safe and happy new year.

Celebrate Susan B. Anthony's Birthday Feb. 15 at League Brown-Bag Lunch

Celebrate with fellow League members as we honor Susan B. Anthony's birthday next month. Plan to attend our next Brown-Bag Lunch on **Wednesday, Feb. 15, 11 a.m. to 1 p.m.**, in the Lawrence Public Library's Gallery Room. (Go past the library's auditorium and then immediately turn right by the audio section to enter the Gallery Room.)

Our guest speaker will be Dr. Kim Warren, who teaches women's history at KU, and has a special interest in the roles of African-American and Native American women in Kansas and their struggles for recognition as political agents.

Anthony, born in 1820, was active, not only in women's suffrage, but in the abolition of slavery, women's right to own property, temperance, and the women's labor movement.

Be sure to bring your brown-bag lunch and the League will provide coffee, tea and dessert. We especially encourage long-time League members to come "tell their stories" of why they joined the League, which is a LWV-US membership initiative. Also we hope our new members will take this opportunity to meet others and to become involved.



Helen Fluker Open and Accessible Government Award - Nominations Wanted!

Each year the League of Women Voters of Lawrence-Douglas County presents the Helen Fluker Open and Accessible Government Award in memory of Helen to honor a Douglas County citizen over the age of 18 who has made a difference in government. The recipient of the award should have somehow promoted improvement in government through ef-

forts as a volunteer or as an extension of her/his work duties. A variety of ways that this may have been done are:

- attempting to increase citizen participation in government
- educating the public about an issue
- working toward more open government
- being involved in the community in ways that lead to better political decision making

Nominations are due on February 15. Please complete the nomination form on page 3 and mail or e-mail it as directed on the form. Contact Janet Roth at 843-4764 or at jroth@ku.edu.

The award will be presented at a luncheon on Saturday, March 3, at the Smith Center, 4730 Brandon Woods Terrace. The event will begin at 11:30 with lunch served at noon. The formal presentation of the award is at 12:30. Cost of the lunch is \$14. Reservations must be made by Tuesday, February 28, with Audrey Kamb-Studdard (843-4166 or audkamb@ku.edu), Marguerite Lohrenz (865-0195 or zlohrenz@sbcglobal.net), Marjorie Cole (842-6085 or nobledog@aol.com), or Janet Roth.

Helen and Bob Fluker had an active career in government service. She often spoke of how while in government service, she was never allowed to influence policy, could only support policies of the government, and could not be a League member. After retiring and settling in Lawrence in 1974, she became active in the community and several volunteer organizations including the League of Women Voters. With sincere dedication, she served as local president and on the board of directors of the local and state leagues for many years. She valued her membership, the kind of research the League did, and its goals of active citizen participation in government. After her death in 1998, this award was established by the League with the help of her family. We honor her commitment to the League by honoring some of the "unsung heroes" in our community.

League of Women Voters of Lawrence-Douglas County

Helen Fluker open and Accessible Government Award

Nomination Form

Name of Nominee: _____

Title/Organization (if applicable): _____

Address: _____ Phone: _____

Criteria:

The nominee must be a Douglas County resident over age 18, and their efforts (volunteer or as an extension of their work duties) must have promoted improvement in government. They could have accomplished this in a variety of ways, such as attempting to increase citizen participation in government; educating the public about an issue; working toward more "open" government; or otherwise being involved in ways which represent the principles that lead to better political decision-making.

Please indicate below or attach a statement explaining why you feel this nominee should be considered for the Helen Fluker Open and Accessible Government Award. Please feel free to attach up to three additional sheets to this form.

Your Name: _____

Title/Organization (if applicable): _____

Address: _____ Phone: _____

Email: _____ Date: _____

This form may be copied if you wish to make more than one nomination.

Please send completed forms by Feb, 15, 2012 to:

Helen Fluker Award Selection Committee

LWV-L/DC, P.O. Box 1072, Lawrence KS 66044-1072

Successful Fund Drive

Our Fund Drive has been successful. Letters were mailed at the end of November and resulted in contributions amounting to \$1,590. Contributors chose between giving to the General Fund, the Education Fund, or the Dues Scholarship fund. Of these only the Education Fund is tax deductible. Funds designated for the Education Fund are mailed directly to the League of Women Voters US Education Fund and are not reflected in our local league financial balances.

We received \$930 for the General Fund, \$610 for the Education Fund, and \$50 for the Dues Scholarship Fund. Our last fund drive was held in 2009 and brought in \$900.

Contributions are essential for our activities. Dues only barely cover the per member payments we must send: for each member dues payment of \$50, \$18 goes to LWVK and \$30 to LWVUS. That leaves only \$2 for our local activities, which include publishing *The Voter*, voter registration drives, educational forums, and the dues scholarships, which allow us to have more diverse membership. (Currently we have seven members on scholarship that would not otherwise be able to join us.)

We deeply appreciate all our supporters who have contributed to this Fund Drive!

Voter Registration is Looking for Volunteers

Voter Registration season is upon us once again. The Voter Services Committee would like to hold at least three voter registration events this spring, but we will need volunteers in order to make that happen. We are working with the Douglas County Clerk's office to try to identify populations to target for voter registration. The National League has created The High

School Voter Registration Project, which is a nationwide effort to encourage young people--especially young minorities--to register to vote, so

we will try to participate in that effort, as well. If you would like to volunteer a few hours to help register voters, please contact our Voter Services Chair, Melinda Henderson, at melin@sunflower.com

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Increasing Voter Participation in East Lawrence

On November 30, 2011 I met with Ursula Minor, NAACP; Gwen Klingenberg, LAN; and Christy Kosirog, East Lawrence Neighborhood Association to discuss voter participation in East Lawrence. We came up with the following idea for a partnership activity to take place over 2012:

Name: Voter Increase Coalition

Mission: To increase voter turn-out in all matters, big and small, by creating opportunities to have face-to-face conversations on why voting matters in Lawrence, Douglas County, Kansas, USA.

Each of us will try to find two members of our organizations, who are not board members, who are interested in working on this project. Members who agree to work on this issue will be involved in these and perhaps other activities: asking other groups to participate, keeping a schedule of all area activities in which we can have a presence; assisting in group planning to make sure that all participating groups cover the activity and other activities as needed. As most if not all of our core groups are non-partisan, members will also need to make sure that the activities remain non-partisan. This group would be different than then the Voter Education Coalition as its primary goal is to encourage voting. All questions regarding candidates or issues would be referred to other sources.

If you would be interested in being the non-board member to participate in the activity above, please contact Carrie Lindsey for details at 766-8561.



Consideration to Cancel Local Study

A local study on Increasing Voter Participation in East Lawrence is being considered for withdrawal from current program. After discussion on the topic, it has been suggested that there is considerable information on why voter participation is low and efforts might be better spent on undertaking activities that might increase voter participation. (For more information see page article below.)

A New Year Celebrations Issue

Per League of Women Voters of Lawrence-Douglas County Bylaws, Article IX, Section 3 e "Changes in the program due to altered conditions may be made provided that: 1) information concerning the proposed changes is sent to all members at least two weeks prior to a general membership meeting at which the change is to be discussed." The next general meeting will be on January 28 (see calendar for details) and consideration to cancel the local study will be discussed and voted on as part of this meeting.

Lawrence Public Library Board Meeting

January 16, 2012

Board Members Present: Deborah Thompson, Chair; Joan Golden, Vice-chair; Fran Devlin, Secretary/Treasurer; Chris Burger, Terry Leibold, Ursula Minor, and Kate Harding Poh

Library staff present: Mike Wildgen, Interim Director; Sherri Turner, Assistant Director; Kathleen Morgan, Library Foundation Executive Director, and Staff

Guests: Elinor Tourtellot

The Library Board held an executive session from 2:00 p.m. to 4:00 p.m. The regular meeting began at 4:00 p.m. and ended at 4:30 p.m..

Interim Director, Mike Wildgen, reported that the library had budgeted well for 2011 ending with a revenue surplus. In budgeting for 2012, the board is aware that there will be a number of unknown costs such as; start of construction, salary of the new director, and health insurance increase. Work will begin soon to meet the May deadline for the 2013 budget.

Kathleen Morgan reported that the New Stories Capital Campaign has officially met its fundraising goal. With all expenses covered, the campaign total is \$1,087,000 from 286 donors. The community is invited to a celebration party on Sunday, January 22 at 4 p.m. in the library lobby. Also, the Library Foundation brought additional resources and support in the form of grants and special events.

On March 13, at 7 p.m. NPR correspondent Susan Stamberg will visit Lawrence for a special library program at the Lied Center. Tickets go on sale at the Lied Center January 22. Prices are \$50 for the pro-

gram and VIP reception, \$25 for adults and \$10 for students. Burlington Northern Santa Fe, the Cranberry Marketing Committee and KU Libraries are sponsoring this event.

There have been many good proposals for the construction manager. All are either local or in the area. Bidding for the job begins this summer.

The Board agreed to grant an exception to the meeting room policy by allowing meetings, sponsored by the Lawrence Board of Realtors, to disperse information about home buying. These meetings, will be held the end of February into March.

- Elinor Tourtellot, observer

Privatization Study

Two local LWW members are participating in a study group on privatization with the LWW of Topeka. President Kay Hall and Bonnie Dunham attended meetings of the Topeka study group to investigate the growing trend of moving services from the public to private sector.

While there is no right or wrong answer to this trend or whether the transfer will or will not actually save taxpayer money, the study so far has determined that asking the right questions before a contract is put out for bid is essential.

The scope of the study by LWW-USA, states in part: "... is to identify those parameters and policy issues to be considered in connection with proposals to transfer federal, state or local government services, assets and/or functions to the private sector."

So far the Topeka group has looked at privatization experiences for prisons, libraries, wastewater, SRS, Medicaid, railroads, schools and more. Many states have passed or are looking are laws to deal with privatization.

Since no local members volunteered to head the study, the Topeka LWW was agreeable to allow us to join their study. The findings of that study will be brought back to the local LWW membership to decide if it wishes to address the consensus questions.

To learn more about this important subject, go to LWW-USA's website on privatization at: <http://www.lww.org/member-resources/privatization>



About the Privatization Study

<http://www.lwv.org/member-resources/privatization>

Scope of the Privatization Study:

The purpose of this study is to identify those parameters and policy issues to be considered in connection with proposals to transfer federal, state or local government services, assets and/or functions to the private sector. It will review the stated goals and the community impact of such transfers, and identify strategies to ensure transparency, accountability, and preservation of the common good.

Timeline:

Early Fall 2011: Information provided to Local and State Leagues

November 2011-May 2012: Leagues are encouraged to participate in the study on Privatization of Government services, assets and functions, and the impact on local communities by scheduling meetings to educate members and communities about the issue and come to consensus.

May 1, 2012 Consensus deadline.

Consensus Questions – Introduction

Federal, state and local governments own extensive assets and are major employers. Governments often consider selling assets, and outsourcing some functions and services to the private sector, including “core” government services such as providing for the safety, security and general welfare (public well-being) of citizens, the economy, and our country. Privatization of these government assets, services and functions has been occurring for decades at all levels of government. The consequences of “privatizing” a government service or function, in particular, may enhance the function or service. Alternatively, it may reduce or alter functions and services. Government revenues may be reduced or lost and jobs may be cut. In some instances, this may have a detrimental effect on the “common good” or public well-being.

One state, for instance, has declared as a matter of state law and policy that “using private contractors to provide public services formerly provided by state employees does not always promote the public interest. To ensure that citizens..... receive high quality public services at low cost, with due regard for tax payers..... and the needs of public and private workers, the (legislature) finds it necessary to regulate such privatization contracts throughout the state.”

The purpose of this study is to identify policies and parameters that should be considered when any governmental entity is planning to undertake some type of privatization process.

PRIVATIZATION CONSENSUS QUESTIONS

Consensus questions one and two should be presented to the group at the outset of the meeting and then repeated after the other questions have been answered.

1. As a general matter, the extent to which government functions, services and assets have been privatized in the past decade is:

Much too much Too much About right Too little Much too little No consensus

2. Core government services and functions important to well-being of the people should remain with government and not be transferred to the private sector.

Strongly agree Agree Disagree Strongly disagree No consensus

3. As a matter of good government policy, which of the following criteria should be applied when making decisions to transfer government services, assets and functions to the private sector?

- a. Transparency and Accountability: All government contracts with private companies for services must ensure public access to relevant records and information regarding contracted services, functions and assets and provide for adequate government oversight and control.
 High priority Lower priority Not a priority No consensus
- b. Public Well-being: Provisions are in place to assure that, in the event any public services are to be privatized, there will be no increased risks to public well-being, especially to vulnerable populations.
 High priority Lower priority Not a priority No consensus
- c. Cost and Quality: Privatized services should not appreciably increase the costs or decrease the quality of services to the public.
 High priority Lower priority Not a priority No consensus
- d. Environmental and Natural Resources: Defined parameters should be in place to assure that environmental and natural resources are not compromised. High priority Lower priority Not a priority No consensus
- e. Contracts and Sales of Public Assets: All government contracts and privatized public assets should be subject to competitive bidding and comply with all laws regarding awarding contracts.
 High priority Lower priority Not a priority No consensus
- f. Economic Impact: Privatization should not result in a negative economic impact on the communities in which the services are provided.
 High priority Lower priority Not a priority No consensus
- g. Government Recovery of Services and Assets: Provisions should be in place to recover key services, assets and functions should the private sector fail to safeguard them.
 High priority Lower priority Not a priority No consensus

4. Privatization is not appropriate:

- a. When the government lacks the will, ability or resources to adequately oversee contracts with the private entity and any successor thereto.
 Agree Disagree No Consensus
- b. When there is no private entity able or willing to provide the service for the short and long term.
 Agree Disagree No Consensus
- c. When it poses a potential threat to national security.
 Agree Disagree No Consensus
- d. When it poses a risk to personal or security data.
 Agree Disagree No Consensus
- e. When there has been evidence of potential corruption.
 Agree Disagree No Consensus
- f. When the private entity's goals and purposes are not compatible with public well-being.
 Agree Disagree No Consensus

g. When the private entity has not complied with existing government requirements for public records, open meetings or publication of reports and audits.

Agree Disagree No Consensus

h. When a loss of revenue decreases government support for mandated or critical services.

Agree Disagree No Consensus

5. Some states have developed laws and regulations to control the process of privatization within their jurisdictions. As a general matter, should privatization be regulated?

a. Yes, all privatization efforts should be regulated.

b. Yes, some types of privatization efforts should be regulated.

c. No, privatization efforts should never be regulated

d. No consensus

6. Which of the following should be included in the regulatory process when privatizing public assets, services and functions?

a. Timely public announcements regarding intentions to privatize and the clear and measurable expected benefits to the public

Strongly agree Agree Disagree Strongly disagree No consensus

b. Public and stakeholder (investors, shareholders, experts) input into the decision and terms of the contract.

Strongly agree Agree Disagree Strongly disagree No consensus

c. Feasibility study regarding performance, costs and benefits.

Strongly agree Agree Disagree Strongly disagree No consensus

d. Adherence to all laws regarding public contracts..

Strongly agree Agree Disagree Strongly disagree No consensus

e. Transition plans for displaced employees.

Strongly agree Agree Disagree Strongly disagree No consensus

f. Accountability and transparency provisions in all contracts.

Strongly agree Agree Disagree Strongly disagree No consensus

g. Regular performance evaluations including meaningful opportunity for public comment.

Strongly agree Agree Disagree Strongly disagree No consensus

h. Provisions for transferring services and assets back to the government or another contractor in the event of inadequate performance.

Strongly agree Agree Disagree Strongly disagree No consensus

i. Adequate resources for enforcement.

Strongly agree Agree Disagree Strongly disagree No consensus

Comments: 500 Words or Less

League of Women Voters of Kansas

2012
LEAGUE DAY at the CAPITOL
Wednesday
FEBRUARY 15, 2012
8:30 AM – 2:30 PM
at
KANSAS BAR ASSOCIATION BLDG
1200 SW Harrison St.
Topeka KS 66612

In the upcoming Legislature there are many, many issues about which the League has concerns.

- 8:30 --- Registration, Rolls and Coffee or Tea
- 9:00 – League Day Welcome and Session I on impacts of governor's tax and funding proposals.
- 10:00 Break
- 10:15 Session II with LWVK legislative expert, Paul Johnson updates us on legislative goings-on.
- 11:15 lunch with a presenter on one of the HOT ISSUES. (Kansas Action for Children invited)
- 12:30, - Organizing for Action. How to do ADVOCACY
- 2:30 – Adjournment (LWVK Board Meeting following)

SEE KS VOTER ARTICLE ABOUT WHERE TO PARK IN ADDITION TO WEST OF KBA Bldg

Call Maryanna Quilty at 785) 234-6925 with Question
Reservations due by Feb 10.

League Day – FEB 15, 2012 Mail Checks to
LWVK
PO Box 2366
Topeka Ks. 66601

Local League name _____

Payment Check(s) Amount \$25 each x number _____

1. PARTICIPANT _____

2. PARTICIPANT _____

3. PARTICIPANT _____

4. PARTICIPANT _____



LWVK Two-Year “Restudy State Finance Position”

In June 2011 at the LWVK State Convention in Emporia, the membership approved a two-year restudy of our position on State Finance. One of the study team's first actions was to post information on at www.lwvk.org under a link titled, “Kansas Taxes: Who Pays?” Data includes links to the Kansas State Constitution, studies and reports on Kansas' revenues, tax exemptions and credits.

The two-year restudy of our current State Finance position will conclude in December 2012. Until that time, the LWVK will operate under its current position. This position calls for a broad-based tax system that is fair, provides adequate revenue, and effectively administered.

Governor Brownback has now released to the public his recommendations to the Legislature for state taxes and the FY 2013 state budget. The Team encourages members to go to www.lwvk.org and review our State Finance Position Statement and the documents under the link, “Kansas Taxes: Who Pays?”

The following new items have been added :

1. The Brownback Pro-Growth Plan: Making the State Income Tax Flatter, Fairer and Simpler
2. Kansas Speaks, Fort Hays University, Docking Institute for Public Policy, 2011
3. Ten Rules of Advocacy
4. “Arkansas Chamber Tax Study has Lessons for Kansas”

Our study of tax policy will continue this year under the principles in our current State Finance position. We encourage LWVK members to consider legislative actions during the 2012 Legislative Session in light of our current position. Carol Jacobson and Liz Post, Co-chairs, Restudy State Finance Position

Note: To follow bills introduced and actions in this Legislative Session go to www.kslegislature.org . Click “Legislative News” in the blue box on the left side of the screen. This takes you to “Current Happenings.” Scroll down to “Bills and Resolutions” to see those introduced, their numbers

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and titles. Click the title to see the bill's contents and history. The link “Calendars” in the dark blue bar at the top of the page takes you to House or Senate daily actions, including committees to which bills have been referred.

Land Use Committee Reports

November meeting.

The November 2011 Land Use Committee (LUC) meeting was held at 7:00 p.m. on November 12 at the Merc. Because the Planning Commission (PC) November Agenda was short, only their Monday meeting was scheduled. There was one item on which LUC chose to write a letter to them. In addition there were two issues that required action from LUC on previous items that were scheduled to go before the City Commission (CC): (1) the Brook Creek Neighborhood asked us for help with a problem that they were having with a non-complying salvage yard which they planned to take to the City Commission in December and (2) a text amendment on height and set-back requirements in our Land Development Code (LDC) proposed by the planning staff at the request of developers which had been approved by the PC. We had already sent letters on this to the PC, but wanted to restate our concerns to the CC. Therefore, we authorized three letters at our LUC meeting--one to the PC and two to the City Commission (CC).

Our November letter to the PC regarded Item No. 4, a Text Amendment to the Land

Development Code on adding a new industrial zoning district that would be intermediate in intensity between the IL (Limited Industrial) and the IG (General Industrial) Districts. This new zone was to be named the IM (Medium Industrial) District. This IM District was supposedly designed to allow it to be less objectionable and therefore to be located closer to sensitive areas. A list of permitted uses was included in the text amendment. We reviewed the proposed list, portions of which we excerpted and included, with added comments, as an attachment to our letter. We pointed out that some permitted uses could have

a very negative impact on residential and other sensi-

A New Year Celebrations Issue



tive areas, contrary to the expressed intention of this proposed amendment, and therefore, we requested that the PC defer the amendment for further study. OUTCOME: the PC deferred the text amendment indefinitely.

Our first letter to the City Commission regarded a salvage yard that was a non-complying open use of land in a floodplain zoned as a residential district (RS10) immediately adjacent to single family homes at the north end of Haskell Avenue. Background: This open use of land had been non-conforming since the 1963 zoning ordinance was adopted, but only recently had become intolerable because of the noise, smoke, trash, traffic, and other objectionable environmental impacts resulting from its most recent use as a salvage yard. The neighborhood had complained for several years, but without effective response or enforcement by the City, primarily because of the staff interpretation of the zoning code. Finally, the neighborhood complained directly to the City Commission and the commissioners heard the issue on December 13. The owner of the salvage yard had reduced the area being used, but was still creating the same environmental problems in his open yard. The staff directive to the City Commission on the issue was for them (the Commissioners) to interpret the term "open use of land." This was only one of the many neighborhood complaints, but it was identified by staff as the principal issue of non-compliance.

In our letter we pointed out that the Board of Zoning Appeals had the responsibility to interpret the zoning law, not the City Commission. Based on our National League of Women Voters Position we requested that the City Commission enforce the law. OUTCOME: The City Commission made no decision at their meeting when they heard the issue on December 13, but discussed it in executive session on January 10. The City Commission ordered the staff to enforce an order of violation, with which the owner now has until January 30 to comply.

The second letter that we sent to the City Commission was on the issue of the text amendment to height and setback restrictions in Article 6 of the LDC, specifically, the proposal to eliminate Section 20-



602(h)(2)(i & ii). This is the section that requires non-RS districts to be the same height as the existing adjacent RS (single family) building or to be set back from the lot line the same distance as the height of the proposed adjacent non-RS building. We had already sent many letters objecting to eliminating this section, but this letter asked that the CC not only keep this section in the Code but also instruct staff to design methods to create "density gradients" in non-RS developments adjacent to RS districts. Our illustration of this, included with our letter as an attachment, was designed by a leading national architectural firm, and showed a multiple family building complex designed with graduated heights decreasing down to equal the height of the lowest density of single family homes at the edge. An urban planner at KU, responding to our request for help, had proposed this solution for situations where potentially incompatible non-RS districts were adjacent to RS districts. He had pointed out that screening alone was insufficient and gave examples of how land use planning could solve the problem, the "density gradient" solution being one of them. OUTCOME: The City Commission finally heard this item on January 10, and has postponed the changes to the text amendment for an unknown length of time.

December meeting.

Our LUC meeting in December was at 7:00 p.m. on Saturday, the 10th at the Merc; again early in the month because the PC meeting was early. We sent three letters to the PC, and because of the CC schedule, submitted the two letters, above, to the CC in December and January.

The first letter sent to the Planning Commission in December was on Item 4, a text amendment to the Land Development Code defining and clarifying dwelling occupancy limits. The purpose of this was to make clear the definitions of "family," the limits on single family (RS) occupancy (no more than three unrelated adults) and that accessory dwelling units may add only one more adult. The problem that we saw here was that the accessory dwelling unit is permitted only in certain specific zoning districts: RS40, RS20, RS10, RS7, MU (Mixed District) and CNI



(Neighborhood Commercial Center). The proposed wording for accessory dwellings had been included identically in the other residential zoning districts, as well. We were concerned that this would cause confusion when trying to interpret permitted uses in the other districts where accessory dwellings are not permitted. OUTCOME: staff agreed with us, and the proposed text amendment was reworded.

Our second letter regarded Item No. 5, the Northeast Sector Plan. The governing bodies had sent the plan back to the PC to reconsider with certain specific instructions, one of which was to compare costs of development of the NE Sector with other industrial areas of Douglas County. The staff, in their Report, had replied that this wasn't a planning consideration. Our forwarding letter stated: [in planning decisions] "...We believe the cost of developing an area should be a consideration... The hazards and risks of developing an area, which will be reflected in the cost, must be a consideration because these issues are of public concern, as well as is the issue of preserving our irreplaceable resources."

We have sent many letters on this plan, our previous one being a very inclusive analysis of the problems with the industrial districts proposed in this NE Sector Plan and in the proposal for preserving agricultural soils. We included that letter as an attachment to our forwarding letter. OUTCOME: The PC deferred action, but instructed staff to reduce the amount of industrially designated land from 300 acres to 125 acres and to bring options on its configuration back to the PC.

The third letter sent to the PC in December was on Item No. 6: modifications to and clarification of the Subdivision Regulations as text amendments.

Background: In previous months, the Chamber of Commerce, among others, had requested that changes be made to these regulations. We had responded to some of the proposals previously, and the staff adopted two of our requested changes (see October Voter).

Regarding this current text amendment, we first should give a note of explanation. In the Rural Area of the County, in order to encourage preserving agricultural land and directing residential development to the Urban Growth Ar-

reas and towns and cities, a new system of property division was adopted as a replacement for the "5-acre exemption." This new system requires larger parcels to be owned before allowing them to be further subdivided into county residences. These larger parcels are called "Parent Parcels" and must be at least 20 acres in size. The Residential Parcels created from these Parent Parcels are limited to two, or three on corners. Where adjacent tracts with common boundaries are owned by the same person, "boundary transfers" are allowed in order to combine smaller tracts to create the minimum 20 acres or larger. This process does not involve transfer of land from one person to another. It only shifts adjacent lot lines to create a larger tract under the same ownership.

However, one new text amendment to the Subdivision Regulations appeared in the December PC agenda: a proposal in the Rural Area to allow Parent Parcels to be created from adjoining properties not only under the same ownership by boundary transfers, but also under different ownerships, also by means of "boundary transfers." Comment: This "new" type of boundary change between adjoining tracts that are not owned by the same person amounts to a subdivision and transfer of property, and is opening a totally new situation in the county that could lead to totally unintended proliferation of residential development.

We objected verbally, and the staff remedy was to limit the number of parent parcels created using this method to one. This still could become a major problem because of the lack of defining limits to the purpose, number of times and size of property to be transferred with this "boundary transfer," especially regarding how often this can be repeated with neighboring separately-owned properties having adjoining lot lines. To editorialize: too often "solutions" inadvertently become major problems through unanticipated consequences. This is especially true in urban planning. OUTCOME: this text amendment was adopted unanimously by the PC.



Letter to the Editor

The following was published in the Journal-World on November 12, 2011.

To the editor:

Where are the old-fashioned Republicans of yesteryear? The ones best known for their commitment to conserving, protecting and maintaining that which we as a nation already had. The ones who believed in repairing and refurbishing before the last result of replacing. People who took the responsibilities of public office seriously, who would have been ashamed to be elected to Congress, to accept taxpayers' money as salary, and then refuse to do the job of governing.

Traditional Republicans would have looked beyond "whose administration introduced this legislation" to ask themselves "What does our country need at this time?" For example, Republicans of the old school, even those who did not believe in job stimulation in the U.S., would have acknowledged how badly our roads, airports, bridges, levees, pipelines, sewers and national parks need repair and maintenance and would have done something about it. Grand Old Party, where are you? Our country needs you.

- Sarah Casad

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