

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF MORRIS COUNTY, KANSAS

In the Matter of the Adoption of a Neighborhood Revitalization Plan

REVITALIZATION PLAN

The Board of County Commissioners of Morris County, Kansas, (herein after “Governing Body”) pursuant to the Kansas Neighborhood Revitalization Act, K.S.A. 12-17, 114 et.seq., does hereby adopt a Neighborhood Revitalization Plan (herein after “Plan”) for the County and the following cities and school districts within the County of Morris: Cities - Council Grove, School Districts – USD 417.

FINDINGS:

Pursuant to K.S.A. 12-17-116, the Governing Body Finds:

1. The population of Morris County is 5,645 in 2015. The population of Morris County was 5,923 in 2010. The population has decreased -4.7% in 5 years.
2. The current median age in Morris County is 47.9. The median age in Kansas for the year 2012 was 36.
3. Persons in Morris County 65 and over is 24% of the population in 2015. This is up from 22.3% of the population in 2010. Persons in Morris County under 18 is 20.8% of the population in 2015. This is down from 21.5% of the population in 2010.
4. Current household median income in Morris County is \$48,072. The current household median income in Kansas is \$51,872. (Source U.S. Census Bureau).
5. A good measure of the health of the retail sector in Morris County is the retail pull factor. This measures per capita sales tax collections in terms relative to the surrounding areas. The pull factor is the County per capita sales tax divided by the state per capita sales tax. A pull factor greater than 1.0 means that retail business is being attracted into the County. A value less than 1.0 means retail business is being lost to other areas. Morris County’s pull factor was .58 in 2014, a ranking of 84th of the state’s 105 counties. (source Kansas Department of Revenue).

The above findings show that Morris County’s population is decreasing, getting older and earning less than the median in Kansas and has less retail activity than the majority of other counties.

Therefore, the Governing Body finds that the economic welfare of its citizens is at risk and that the conditions as described in K.S.A. 12-17,115(c) exist in the entire County of

Morris as a single unit and that the rehabilitation, conservation and redevelopment thereof is necessary to protect the public welfare of the residents of the County of Morris.

**MORRIS COUNTY TAX REBATE PROGRAM
(under the Neighborhood Revitalization Plan)**

There is a three (3) year open application period starting January 1, 2017. The tax rebate will be of a length of five (5) years. Rebates will be figured on the County mill levy and the mill levy of any other municipality participating in this plan by interlocal agreement.

1 st Year	-	100% Rebate
2 nd Year	-	100% Rebate
3 rd Year	-	100% Rebate
4 th Year	-	100% Rebate
5 th Year	-	100% Rebate

On the sixth (6th) Year and each year thereafter, the property owner would be paying the full tax.

A minimum increase of \$10,000 dollars in appraised valuation is required to participate.

A \$100.00 non refundable application fee will be charged by the County to cover office time and administration.

Rebates will apply to rehabilitation of existing structures, additions, to existing structures and new constructions of commercial property only.

1. LEGAL DESCRIPTION OF AREA IN PLAN.

The real estate forming the boundaries of the area included within the plan is that description of Morris County, Kansas, as set forth in K.S.A. 18-164 and such statute is adopted herein by reference. Maps depicting the existing parcels of real estate covered by this plan have been prepared and are on file in the Office of the County Appraiser of Morris County and the same are adopted as a part of the plan by reference.

2. NAMES AND ADDRESSES OF OWNERS.

A list of the names and mailing addresses of the Owners on record of the real estate included within the Plan, constitutes a part of the records in the office of the County Appraiser of Morris County, and such list is adopted in and made a part of this Plan by reference.

3. ZONING CLASSIFICATIONS.

The existing zoning classification and zoning district boundaries and the existing land uses within the area included in the Plan (exclusive of those cities within the County of Morris which have not adopted zoning plans and ordinances) are as set forth in the official zoning maps, records, resolutions and ordinances of the County of Morris and the cities of Council Grove.

4. MUNICIPAL SERVICES.

The Plan does not include proposals for improving or expanding municipal services as described in K.S.A. 12-17, 117(a)(5) and, if any proposals for any such improvements or expansions of municipal services are hereafter proposed by the Governing Body, then any such proposal will be prepared and considered independently of this Plan.

5. REAL PROPERTY ELIGIBLE.

All *commercial* real property and all *commercial* improvements both new construction and rehabilitation of and additions to existing buildings thereon situated in the designated areas as outlined in paragraph 1 above within the County of Morris are eligible to apply for Revitalization under the Plan.

6. CRITERIA FOR DETERMINATION OF ELIGIBILITY.

- A. "Structure" means construction of new commercial real estate to which building additions, remodeling, renovations, improvements and permanent fixtures are assimilated to the existing properties.
- B. Any structure, which does not lend itself to obvious inclusion within the above meaning, should be cleared with the offices of the Morris County Appraiser prior to application.
- C. There will be an open application period for program participants, beginning January 1, 2017. Those applications approved during the open application period will continue to receive the tax rebate for the full five (5) years following completion of the project. To qualify for the rebate construction of an improvement may only begin after final approval of the application. There will be no exceptions.
- D. To be eligible for any tax rebates under this plan:
 - a. Parts 1 and 2 of the Application for Tax Rebate must be completed in full and filed with the office of the Morris County Appraiser, including the payment of a non-refundable \$100.00 fee.
 - b. Prior to the commencement of all new construction and all improvements to existing properties, an inspection of the site of the project shall have been completed by the office of the Morris County

Appraiser to establish the base line valuation between non-qualifying portions and the eligible portions under this Plan:

- c. Part 3 of the Application For Tax Rebate must be completed and filed with the office of the Morris County Appraiser no later than the 1st day of December of the year prior to the first year an eligible tax rebate is available:
 - d. There shall be no exceptions granted for noncompliance with this paragraph.
- E. The minimum investment for eligibility in order to receive a tax rebate for commercial new construction or improvement to existing properties is a \$10,000.00 dollar increase in appraised valuation which must be established by the County Appraiser; the project must be classified and taxable as real estate.
- F. New construction as well as improvements to existing properties must be in compliance with all applicable building permit requirements; building codes and zoning regulations in effect within its location at the time the improvements begin. Tax rebates may be denied or terminated for noncompliance with this paragraph.
- G. No applicant having delinquent real, personal or special assessment taxes due in Morris County will be eligible for this program. In the event any such taxes are not timely paid and become delinquent during the five (5) year period, all-current and future tax rebates shall be forfeited in full. ***If property taxes are being appealed or in the appeal process, no rebate will be given for the year being appealed until the appeal process is finalized.***
- H. Once a project application for new construction or improvements to an existing property has been approved, no modifications to that project shall be allowed for additional benefits under this Plan. Only one (1) application per property will be eligible in any twelve (12) month period.
- I. All tax rebates are subject to the approval of this Plan by each taxing unit. See the Morris County Clerk for taxing units, which have adopted the Tax Rebate Plan of the Neighborhood Revitalization Plan.
- J. All tax rebates under this Plan shall be based on the tax increase from the assessed valuation; will be paid commencing in the first calendar year following assessed valuation ***on the completed project*** and may change upward or downward depending on the change in applicable mil levies.
- K. All tax rebates under this plan shall be made only from the resulting increase in ad valorem taxes generated and collected by reason for the new construction or improvements to existing properties and may not equal the amount of the actual dollars spent. Example a \$10,000.00 improvement to

an existing property may add only \$8,000.00 to the appraised market value of the property; thus not meeting the threshold of \$10,000.00 increase in appraised valuation or \$20,000.00 actually spent may only increase the appraised valuation \$10,000.00 dollars. Thus the tax rebate will be based on the \$10,000.00 increase in appraised value and not on the \$20,000.00 actually spent.

- L. All tax rebate benefits under this Plan shall transfer with a change of ownership of qualifying property.
- M. Upon payment of the real estate tax for the subject property for the initial and each succeeding year period extending through the specified rebate period, and within a thirty (30) day period following **the second (2nd) half tax due date**, the tax rebate will be made by the County Treasurer of Morris County in conjunction with the other taxing units participating in a Inter-Local Agreement.
- N. New construction and improvements to existing properties must be completed within two (2) years of the date of application. **No extensions will be granted and participation in the tax rebate program will be discontinued. Should the project not be completed on January 1, of the year following commencement of the project, no tax rebate will be issued until final completion of the project.**
- O. **No amount levied by a uniform state statute or those levies to pay for "special improvements" shall be eligible for rebate.**
- P. **Final approval of each application will be made by the Board of County Commission, Morris County, Kansas.**

The plan as adopted on October 18, 2016 is amended in the following manner:

Mixed use property will be eligible real property for the plan, but limited to the following three areas.

1. Council Grove; property fronting Main Street from Belfry Street East to the Neosho River.
2. White City; property fronting MacKenzie Street from 5th Street East to Commercial Street.
3. Dwight; property fronting Main Street from 8th Street East to 6th Street.

The above amendment to the plan adopted on the 21st day of November,
2017.

COUNTY OF MORRIS, STATE OF KANSAS
BY: THE BOARD OF COUNTY COMMISSIONERS

Diana K. Jost
Chairman

David H. Fox
Member

Wayne K. He
Member