

## 2013 Resolutions

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2013

RESOLUTION # 2013 - 1

WHEREAS the County of Chase, Kansas, has determined that the financial statements and financial reports for the year ended December 31, 2013 to be prepared in conformity with the requirements of K.S.A. 75-1120a(a) are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the Board of County Commissioners or the members of the general public of the County of Chase, and

WHEREAS there are no revenue bond ordinances or resolutions or other ordinances or resolutions of the municipality which require financial statements and financial reports to be prepared in conformity with. K.S.A. 75-1120a(a) for the year ended December 31, 2013.

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners of County of Chase, Kansas, in regular meeting duly assembled this 14th day of January, 2013 that the Board of County Commissioners waives the requirements of K.S.A. 75-1120a(a) as they apply to the Chase County for the year ended December 31, 2013.

BE IT FURTHER RESOLVED that the Board of County Commissioners shall cause the financial statements and financial reports of the County of Chase to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this State.

ADOPTED and approved this 14th day of January, 2013.

  
Bill Halvorsen, Member

  
J.C. McNee, Member

  
Tim Peterson, Member

ATTEST:  
  
Brande Studer, County Clerk

CHASE COUNTY BOARD OF COUNTY COMMISSIONERS

RESOLUTION NO. 2013-2

*A Resolution honoring the Service of Chase County Commissioner JANICE GLANVILLE*

BE IT RESOLVED By the Chase County Board of County Commissioners in Regular Session Assembled that:

WHEREAS, Janice Glanville was elected to the Chase County Commission at the General Election held in the year 2008 and served on said Commission for 4 years from January, 2009 until January, 2013; and

WHEREAS, Commissioner Glanville tirelessly devoted herself and her talents toward the faithful execution of her duties in the governance of Chase County, Kansas, including serving two terms as Chairman of said Commission, such as to bring great credit upon herself, her family and the citizens of Chase County, the State of Kansas and the Nation.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF CHASE COUNTY COMMISSIONERS, In regular session assembled in its Chambers in the Courthouse of said County, in the seat of government thereof, that COMMISSIONER JANICE GLANVILLE is hereby recognized for her contributions to the people of Chase County, Kansas and is further recognized for her distinguished place of honor as part of the unbroken line of service commencing with the first governing body of Chase County, Kansas in the year 1859 that continues until the present.

Given under Seal this 14<sup>th</sup> day of January, 2013 at Cottonwood Falls, Kansas and ORDERED to be a permanent record of the Proceedings of said Commission.

FOR THE COMMISSION:

  
Chairman

ATTEST:

  
Chase County Clerk

SEAL

**CHASE COUNTY BOARD OF COUNTY COMMISSIONERS**

**RESOLUTION NO. 2013-3**

*A Resolution honoring the Service of Chase County Commissioner KENNETH DAWSON*

**BE IT RESOLVED** By the Chase County Board of County Commissioners in Regular Session Assembled that:

WHEREAS, Kenneth Dawson was elected to the Chase County Commission at the General Election held in the year 2004 and was re-elected at the General Election held in the year 2008 and thereby served on said Commission for 8 years from January, 2005 until January, 2013; and

WHEREAS, Commissioner Dawson tirelessly devoted himself and his talents toward the faithful execution of his duties in the governance of Chase County, Kansas such as to bring great credit upon himself, his family and the citizens of Chase County, the State of Kansas and the Nation.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF CHASE COUNTY COMMISSIONERS, In regular session assembled in its Chambers in the Courthouse of said County, in the seat of government thereof, that COMMISSIONER KENNETH DAWSON is hereby recognized for his contributions to the people of Chase County, Kansas and is further recognized for his distinguished place of honor as part of the unbroken line of service commencing with the first governing body of Chase County, Kansas in the year 1859 that continues until the present.

Given under Seal this 14<sup>th</sup> day of January, 2013 at Cottonwood Falls, Kansas and ORDERED to be a permanent record of the Proceedings of said Commission.

FOR THE COMMISSION:

  
Chairman

ATTEST:

  
Chase County Clerk

SEAL

RESOLUTION NO. 2013-4

**A RESOLUTION AUTHORIZING CHASE COUNTY, KANSAS, TO REDEEM AND PAY ITS OUTSTANDING SALES TAX GENERAL OBLIGATION BONDS, SERIES 2008A, SALES TAX GENERAL OBLIGATION BONDS, SERIES 2008B, AND GENERAL OBLIGATION BONDS, SERIES 2008C.**

WHEREAS, Chase County, Kansas, (the "Issuer") passed and approved (1) Resolution No. 2008-13, on the 6th day of October, 2008, (the "2008A Resolution") which Resolution authorized the Issuer to issue its Sales Tax General Obligation Bonds, Series 2008A in the principal amount of Seven Hundred Thirteen Thousand Three Hundred Dollars (\$713,300) (the "Series 2008A Bonds") pursuant to the authority of K.S.A. 12-187 et seq. and K.S.A. 12-195b, all as amended, (2) Resolution No. 2008-14 on the 6<sup>th</sup> day of October, 2008, (the "2008B Resolution") which Resolution authorized the Issuer to issue its Sales Tax General Obligation Bonds, Series 2008B in the principal amount of Five Hundred Thousand Dollars (\$500,000) pursuant to the authority of K.S.A. 12-187 et seq. and K.S.A. 12-195b, all as amended, and (3) Resolution No. 2008-15, on the 6<sup>th</sup> day of October, 2008, (the "2008C Resolution") which Resolution authorized the Issuer to issue its General Obligation Bonds, Series 2008C in the principal amount of Three Hundred Thousand Dollars (\$300,000) (the "Series 2008C Bonds") (the Series 2008A Bonds, Series 2008B Bonds and Series 2008C Bonds are collectively referred to as the "2008 Bonds") pursuant to the authority of K.S.A. 19-15,114 et seq., as amended, all to finance the cost of constructing, furnishing, equipping and otherwise completing improvements to the county courthouse (the "Project"); and

WHEREAS, pursuant to Sections 203 of the 2008A Resolution, the 2008B Resolution and the 2008C Resolution, the State Treasurer of the State of Kansas, Topeka, Kansas, was designated as the Issuer's Paying Agent and Bond Registrar for the payment of the principal of and interest on the 2008 Bonds; and

WHEREAS, pursuant to Sections 301(a) of the 2008A Resolution, the 2008B Resolution and the 2008C Resolution, the outstanding amount of the 2008 Bonds, or any portion thereof, is

subject to redemption prior to maturity on any date at a redemption price equal to one hundred percent (100%) of the principal amount so redeemed plus all accrued and unpaid interest on such principal amount of Series 2008 Bonds redeemed to the redemption date; and

**WHEREAS**, pursuant to Sections 301(a) of the 2008A Resolution, the 2008B Resolution and the 2008C Resolution, the Issuer deems it necessary and advisable to call all of the 2008 Bonds which remain outstanding for redemption and payment on March 21, 2013 (the "Redemption Date").

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHASE COUNTY, KANSAS:**

**Section 1.** That pursuant to the 2008A Resolution, the 2008B Resolution, and the 2008C Resolution, the Issuer hereby calls all of the remaining outstanding 2008 Bonds for redemption and payment on March 21, 2013, the Redemption Date. The Bonds are being called at the principal amount thereof plus accrued interest thereon to the redemption date.

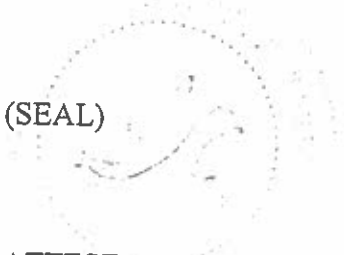
**Section 2.** Pursuant to Sections 303 of the 2008A Resolution, the 2008B Resolution, and the 2008C Resolution at least forty-five (45) days prior to the Redemption Date a copy of this Resolution and the Redemption Notices shall be mailed by certified mail, return receipt requested, to the State Treasurer of the State of Kansas, 900 SW Jackson, Suite 201, Topeka, KS 66612.

**Section 3.** That all acts, conditions and things required by the Constitution and the laws of the State of Kansas, relating to the passage of this Resolution, or to the execution of any related document to happen, exist and be performed pursuant to and in the enactment of this Resolution, have happened, exist and have been performed as required by law.

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PASSED by the Board of County Commissioners of Chase County, Kansas, on this 14th day of January, 2013.

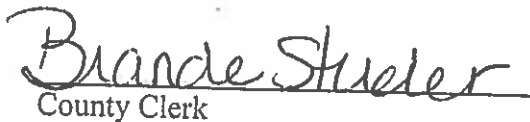
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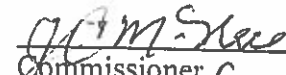


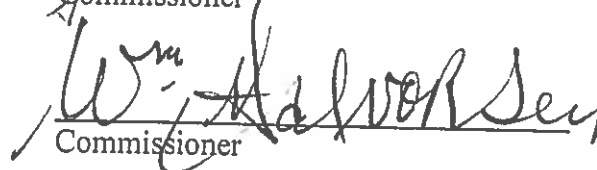
CHASE COUNTY, KANSAS

  
Chairman

ATTEST:

  
County Clerk

  
Commissioner

  
Commissioner

RESOLUTION NO. 2013-5

**A RESOLUTION AUTHORIZING CHASE COUNTY, KANSAS, TO ISSUE GENERAL OBLIGATION BONDS TO REFUND CERTAIN OUTSTANDING DETENTION CENTER REVENUE BONDS OF THE COUNTY.**

**WHEREAS**, Chase County, Kansas, (the "County") has heretofore issued \$2,600,000 principal amount of Detention Center Revenue Bonds, Series 2006A, of which \$2,307,000 is outstanding and unpaid (the "Outstanding Bonds"); and

**WHEREAS**, the outstanding principal amount of the Outstanding Bonds, or any portion thereof, is subject to redemption and payment prior to maturity on any date at a redemption price of par, plus accrued interest to date of redemption and payment.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHASE COUNTY, KANSAS:**

**Section 1.** That it is hereby determined to be necessary to issue general obligation refunding bonds of the County pursuant to K.S.A. 10-1211 and Article 1 of Chapter 10 Kansas Statutes Annotated in the principal amount not exceeding \$1,215,000 which, together with other legally available and unencumbered funds of the County, will be used to currently refund the Outstanding Bonds maturing on April 24, 2013, and thereafter.

**Section 2.** That the purpose of issuing such bonds is to restructure the outstanding debt of the County as represented by the Outstanding Bonds so as to lower the County's interest costs relative to such Outstanding Bonds.

**Section 3.** That the total cost of the refunding project to the County will not exceed \$60,000.

**Section 4.** That the total cost to the County on the general obligation refunding bonds is less than the remaining interest cost to the County on the Outstanding Bonds being refunded.

**Section 5.** That the anticipated revenues from the Detention Center originally financed either in whole or in part with the proceeds of the Outstanding Bonds are expected to be sufficient to retire the general obligation refunding bonds.



**Section 6.** That the refunding is necessary to accomplish a comprehensive and orderly financing plan of the County's Detention Center.

**Section 7.** That the County shall proceed to issue such bonds unless the petition requesting an election on the proposition signed by not less than five percent (5%) of the electors who voted for the office of Secretary of State in the last preceding general election is filed with the County Clerk within twenty (20) days following the last publication of the Resolution.

**Section 8.** The officers and representatives of the County are hereby authorized and directed to take such action as may be necessary, after consultation with the George K. Baum & Company, Kansas City, Missouri, as underwriter, and Nichols and Wolfe Chartered, Topeka, Kansas, as bond counsel, to provide for notice of redemption of the Outstanding Bonds.

**PASSED** by the Board of County Commissioners of Chase County, Kansas, on this 14th day of January, 2013.

CHASE COUNTY, KANSAS



*Jim Robb*  
Chairman

*Gene*  
Commissioner

*Blonde Studer*  
County Clerk

*Wm. Adl von Sen*  
Commissioner

(TO BE PUBLISHED ONCE EACH WEEK FOR TWO CONSECUTIVE WEEKS IN THE OFFICIAL COUNTY NEWSPAPER.)

RESOLUTION NO. 2013 - 6

**A RESOLUTION EXTENDING THE SPECIAL ROAD FUND PURSUANT TO K.S.A. 68-559a, AND AMENDMENTS THERETO.**

**WHEREFORE**, Chase County, Kansas, currently has a special road fund established pursuant to K.S.A. 68-559a, and amendments thereto; and

**WHEREFORE**, the time period established in the statute for said special road fund is expiring and additional funds for road and bridge purposes are needed.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHASE COUNTY, KANSAS that:**

**SECTION 1.** The Special Road Fund created pursuant to K.S.A. 68-559a, as amended, is hereby extended for a period of five years. The Board of County Commissioners may make an annual tax levy, not to exceed 2 mills, for this fund.

**SECTION 2.** This resolution shall be published once each week for two consecutive weeks in the official county newspaper.

**SECTION 3.** This resolution shall take effect 90 days after the final publication of this resolution unless a petition signed by not less than five percent (5%) of the number of electors who voted at the last preceding regular election in Chase County is filed in the office of the County Clerk. In that event this resolution shall take effect until approved by a majority of the electors voting thereon.

**PASSED AND ADOPTED** this 11 day of February, 2013.

  
Tim Peterson, Chairman

**ATTEST:**

  
Brande Studer, County Clerk

RESOLUTION NO. 2013 - 7

**WHEREAS**, notice of a proposal to vacate the following County Road, to-wit:

Commencing at a point on Road No. 140 at the south right-of-way boundary of the Burlington Northern Santa Fe Railroad, thence going west and orth on Road No. 140 across the railroad tracks to the south right-of-way boundary of U.S. Highway 50, all in Sections 29 and 32 of Township 19 South, Range 6 East of the 6<sup>th</sup> P.M., Chase County, Kansas

has been given as provided by law, by the County Clerk of Chase County, Kansas, and proof of such notice has been filed in the County Clerk's Office of said County.

**THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHASE COUNTY, KANSAS**, that the following described County Road, to-wit:

Commencing at a point on Road No. 140 at the south right-of-way boundary of the Burlington Northern Santa Fe Railroad, thence going west and orth on Road No. 140 across the railroad tracks to the south right-of-way boundary of U.S. Highway 50, all in Sections 29 and 32 of Township 19 South, Range 6 East of the 6<sup>th</sup> P.M., Chase County, Kansas

is, in the judgment of the Board, not a public utility by reason of:

- a. Neglect,
- b. Non-use
- c. Inconvenience,

**BE IT FURTHER RESOLVED** that the above described road be and the same is hereby vacated pursuant to the provisions of K.S.A. 68-102 and K.S.A. 68-102a.

BOARD OF COUNTY COMMISSIONERS,  
CHASE COUNTY, KANSAS

  
Tim Peterson, Chairman

  
J.C. McNee, Member

  
William R. Halvorsen, Member

ATTEST:

  
Brande Studer, County Clerk.

RESOLUTION NO. 2013-8

**A RESOLUTION AUTHORIZING AND PROVIDING FOR THE PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT TO BE DATED FEBRUARY 20, 2013, IN CONNECTION WITH THE PROPOSED SALE BY CHASE COUNTY, KANSAS, OF ITS GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013 AND AUTHORIZING GEORGE K. BAUM & COMPANY, KANSAS CITY, MISSOURI, TO UNDERTAKE A NONBINDING PREEFFERING OF THE BONDS IN CONNECTION WITH THE SALE THEREOF.**

WHEREAS, Chase County, Kansas, the ("County") has heretofore duly authorized, issued and delivered its \$2,600,000 principal amount of Detention Center Revenue Bonds, Series 2006A, dated April 24, 2006, (the "Series 2006A Bonds") pursuant to its Resolution No. 2006-6 adopted April 10, 2006, in accordance with the requirements of K.S.A. 10-1201 et seq., as amended, which remain outstanding in the aggregate principal amount of \$2,307,000; and

WHEREAS, on January 14, 2013, the County adopted its Resolution No. 2013-5 authorizing the County to issue its general obligation bonds to refund the Series 2006A Bonds, which Resolution was duly published January 17, 2013, and January 24, 2013, and no protests against the Resolution were received within 20 days of the last date of the publication of the Resolution by the County Clerk; and

WHEREAS, the County has determined and hereby determines it necessary and advisable to issue and sell General Obligation Refunding Bonds, Series 2013-A (the "Bonds") for the purpose of (1) paying the costs to currently refund the County's Series 2006A Bonds maturing on and after April 24, 2013, (i.e., \$2,307,000) and (2) paying the cost of issuing the Bonds; and

WHEREAS, in order to assist the County in the sale of the Bonds, it has retained the services of George K. Baum & Company, Kansas City, Missouri, as investment bankers, and Nichols and Wolfe Chartered, Topeka, Kansas, as Bond Counsel, to assist the County in the sale of such bonds and the preparation of necessary offering materials in connection therewith.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHASE COUNTY, KANSAS:**

**Section 1.** That General Obligation Refunding Bonds, Series 2013A in the maximum principal amount of \$1,150,000 be issued under the authority of K.S.A. 10-1211 and Article 1 of Chapter 10 of the Kansas Statutes Annotated, all as amended, to (1) pay the costs to currently refund the County's Series 2006A Bonds maturing on and after April 24, 2013, (i.e., \$2,307,000) and (2) pay the cost of issuing the Bonds.

**Section 2.** That George K. Baum & Company, Kansas City, Missouri, ("Baum") be and they are hereby, authorized, as investment bankers, to proceed with a nonbinding preoffering of the Bonds. This preoffering shall be intended to assist the County in determining and assessing the market for the Bonds and, as such, the County shall not be bound to sell or otherwise contract to sell the Bonds to any potential purchaser thereof as a result of such preoffering. The confirmation of the sale of the Bonds shall be subject to the execution of a bond purchase agreement between Baum and the County and the adoption of a resolution by the County authorizing the issuance of the Bonds. The Chairman of the Board of County Commissioners of the County (the "Chairman") is hereby authorized to execute a bond purchase agreement in a form approved by Bond Counsel, provided that the results of the nonbinding preoffering of the Bonds are acceptable to the Chairman.

**Section 3.** That in connection with such nonbinding preoffering of the Bonds, Baum is hereby authorized and directed to prepare on behalf of the County a Preliminary Official Statement to be dated February 20, 2013, describing the County, the Bonds and certain other matters related thereto.

**Section 4.** That the Chairman, County Clerk and other officers of the County are hereby authorized to provide for the preparation of a Preliminary Official Statement, to be "deemed final" except for the omission of certain information as provided in the Securities and Exchange Commission Rule 15c2-12, and the Chairman and County Clerk are hereby authorized to execute such Preliminary Official Statement, with such changes thereto as such officials shall deem appropriate, and to use such document in connection with the offering of the Bonds.

**Section 5.** That the Chairman, Clerk and other officers of the County are hereby authorized and directed to take such other action as may be necessary to carry out the non-binding preoffering of the Bonds.

**Section 6.** That this Resolution shall be in full force and effect from and after its passage by the Board of County Commissioners of the County.

**ADOPTED THIS 18th day February, 2013.**

BOARD OF COUNTY COMMISSIONERS  
CHASE COUNTY, KANSAS

(SEAL)

ATTEST:

Brandee Studer  
County Clerk

[Signature]  
Chairman  
[Signature]  
Commissioner  
[Signature]  
Commissioner

2013-  
RESOLUTION # 10

CHASE COUNTY BOARD OF COMMISSIONERS  
**RESOLUTION MAKING AN APPOINTMENT FOR THE POSITION OF CHASE COUNTY  
EMERGENCY MANAGER**

THEREFORE BE IT RESOLVED that the Chase County Board of Commissioners hereby appoints  
Scott E. Wiltse as Director of Emergency Management.

ADOPTED BY THE BOARD OF CHASE COUNTY COMMISSIONERS THIS 28TH  
DAY OF FEBRUARY, 2013

  
CHAIRMAN

VICE-CHAIRMAN

  
MEMBER

  
COUNTY CLERK

RESOLUTION # 2012-11 AND PROCLAMATION

PROCLAMATION of a State of Local Disaster Emergency for Chase County, Kansas:

WHEREAS on the <sup>28<sup>th</sup></sup> ~~21~~ day of February, <sup>2013</sup> ~~2012~~ the Board of Commissioners of Chase County, Kansas finds that certain conditions have caused, or eminently threaten to cause wide-spread or severe damage, injury or loss of life or property in disaster proportion in Chase County, Kansas;

WHEREAS, such conditions have created obstructions which endanger health, safety and welfare of persons and property within the border of Chase County, Kansas.

Now, therefore, be it resolved by the Board of Commissioners of Chase County, Kansas:

That the Board of County Commissioners of Chase County, Kansas, under and by virtue of the authority vested in it by K.S.A. 1976 Supp. 48-932, does hereby PROCLAIM that a State of Local Disaster Emergency exists.

IT IS FURTHER RESOLVED AND PROCLAIMED that the area within the border of Chase County, Kansas covered by this proclamation/ resolution is the entire area of Chase County , Kansas.

BE IT FURTHER RESOLVED that said Board has all rights and/or powers to perform such functions as are vested in said Board by and through the provisions of the Kansas Emergency Preparedness Act of 1975.

IT IS FURTHER RESOLVED AND PROCLAIMED that this resolution shall remain in effect for a period of seven (7) days unless terminated earlier or renewed by consent of the governing body.

ADOPTED BY THE BOARD OF CHASE COUNTY COMMISSIONERS THIS <sup>28<sup>th</sup></sup> ~~21<sup>st</sup>~~ DAY OF FEBRUARY, 2013.

\_\_\_\_\_  
COUNTY COMMISSION

  
CHAIRMAN

  
MEMBER

  
\_\_\_\_\_  
COUNTY CLERK



**RESOLUTION NO. 2013-12**

**A RESOLUTION AMENDING RESOLUTION NO. 2013-9 OF CHASE COUNTY, KANSAS**

**WHEREAS**, the Board of County Commissioner (the "Board") of Chase County, Kansas, (the "County") did pass and approve March 4, 2013, it's Resolution No. 2013-9 (the "Resolution") pursuant to K.S.A. 10-1211, as amended, which Resolution authorized the issuance of the County's General Obligation Refunding Bonds, Series 2013A, dated March 20, 2013, (the "Bonds") and set forth the terms and conditions of the Bonds; and

**WHEREAS**, the Board wishes to now amend the Resolution to change both the date on and after which the Bonds are subject to optional redemption by the County and the date on and after which the County may call such Bonds for optional redemption.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHASE COUNTY, KANSAS:**

**Section 1.** That Section 301(a) of the Resolution be, and the same is hereby, amended to provide as follows:

(a) **Optional Redemption.** At the option of the County, Bonds or portions thereof either maturing or subject to mandatory redemption and payment on December 1, 2018, and thereafter may be called for redemption and payment prior to their Stated Maturity on December 1, 2017, and thereafter as a whole or in part at any time (selection of maturities and the amount of Bonds of each maturity to be redeemed to be determined by the County) at the Redemption Price of 100% (expressed as a percentage of the principal amount), plus accrued interest thereon to the Redemption Date.

**Section 2.** That all other terms and provisions of the Resolution not otherwise amended hereby shall remain as provided therein. Furthermore, those provisions contained in the Resolution hereby amended shall upon the effective date of this resolution be deemed repealed.

**Section 4.** That this resolution shall be effective upon passage.

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PASSED AND APPROVED this 13 day of March, 2013.

BOARD OF COUNTY COMMISSIONERS OF  
CHASE COUNTY, KANSAS

  
Tim Peterson, Chairman

ATTEST:

  
Brande Studer, County Clerk

(SEAL)

  
J. C. McNee, Commissioner

  
Wm. Halvorsen, Commissioner

Something

**RESOLUTION NO. 2013-12**

**A RESOLUTION AMENDING RESOLUTION NO. 2013-9 OF CHASE COUNTY, KANSAS**

**WHEREAS**, the Board of County Commissioner (the "Board") of Chase County, Kansas, (the "County") did pass and approve March 4, 2013, it's Resolution No. 2013-9 (the "Resolution") pursuant to K.S.A. 10-1211, as amended, which Resolution authorized the issuance of the County's General Obligation Refunding Bonds, Series 2013A, dated March 20, 2013, (the "Bonds") and set forth the terms and conditions of the Bonds; and

**WHEREAS**, the Board wishes to now amend the Resolution to change both the date on and after which the Bonds are subject to optional redemption by the County and the date on and after which the County may call such Bonds for optional redemption.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHASE COUNTY, KANSAS:**

**Section 1.** That Section 301(a) of the Resolution be, and the same is hereby, amended to provide as follows:

(a) **Optional Redemption.** At the option of the County, Bonds or portions thereof either maturing or subject to mandatory redemption and payment on December 1, 2018, and thereafter may be called for redemption and payment prior to their Stated Maturity on December 1, 2017, and thereafter as a whole or in part at any time (selection of maturities and the amount of Bonds of each maturity to be redeemed to be determined by the County) at the Redemption Price of 100% (expressed as a percentage of the principal amount), plus accrued interest thereon to the Redemption Date.

**Section 2.** That all other terms and provisions of the Resolution not otherwise amended hereby shall remain as provided therein. Furthermore, those provisions contained in the Resolution hereby amended shall upon the effective date of this resolution be deemed repealed.

**Section 4.** That this resolution shall be effective upon passage.

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PASSED AND APPROVED this 13 day of March, 2013.

BOARD OF COUNTY COMMISSIONERS OF  
CHASE COUNTY, KANSAS

  
\_\_\_\_\_  
Tim Peterson, Chairman

ATTEST:

  
\_\_\_\_\_  
Brande Studer, County Clerk

  
\_\_\_\_\_  
J.C. McNee, Commissioner

(SEAL)

  
\_\_\_\_\_  
Wm. Halvorsen, Commissioner



**BOARD OF COUNTY COMMISSIONERS**

**OF**

**CHASE COUNTY, KANSAS**

**RESOLUTION NO. 2013-13**

**A RESOLUTION TO OPEN A CERTAIN ROAD IN CHASE COUNTY, KANSAS**

**WHEREAS**, the Chase County Commission authorizes the 1974 vacation of a portion of Road 418 to be set aside and reopened as a private road under the provisions of K.S.A. 68-117 said road to be located as follows:

Beginning at the east end of the existing Road 418, thence east along the south section line of Section thirty-two (32), Township Eighteen (18) South, Range Six (6) East of the Sixth Principal Meridian in Chase County, Kansas, at a width of forty feet (40'), to Section thirty-three (33), Township Eighteen (18) South, Range Six (6) East of the 6<sup>th</sup> P.M.

**WHEREAS**, Notice of Petition to Lay Out and Open Road was mailed by certified mail, return receipt requested, to all landowners of record as required by K.S.A. 68-102 notifying said landowners of the proposed opening of a portion of Road 418, of their right to protest said opening, and of their right to make written application to the county commissioners for payment for damage to property caused by such action; and,

**WHEREAS**, the same Notice of Petition to Lay Out and Open Road was published in the official county newspaper on March 4, 2013 and March 11, 2013; and,

**WHEREAS**, a hearing was held on 18th day of March, 2013, for anyone wishing to protest the opening of said particular road; and

**WHEREAS**, as a result of said hearing, the Chase County Commission voted to open the portion of said road above described.

**NOW BE IT THEREFORE RESOLVED**

**BY**

**THE BOARD OF COUNTY COMMISSIONERS OF CHASE COUNTY, KANSAS**

That the said Road 418 so ordered by the board of county commissioners shall be platted and recorded in the office of the register of deeds and shall become a public way, subject to restrictions: *And provided further*, that the owner or owners, their grantees, successors or assigns, of the land specifically benefited by the establishment of such public road, shall forthwith pay all expenses of establishing said road, including all damages, if any should be held or allowed and thereafter forever maintain and keep the same in repair and without any expense or liability to the township or other municipality in which such road is so laid out and established. Said Road 418 is described as follows:

Beginning at the east end of the existing Road 418, thence east along the south section line of Section thirty-two (32),

**RESOLUTION NO. 2013 - 14**

**WHEREAS**, notice of a petition to vacate the following County Road, to-wit:

All right-of-way of Road No. 114 described as commencing at point on Road No. 114, 1225 feet east of the west section line of Section 15, Township 19 South, Range 8 East, thence east on Road No. 114 to a point 30 feet west of the east section line of Section 15, Township 19 South, Range 8 East, all in Chase County, Kansas


has been duly given as provided by law, by the County Clerk of Chase County, Kansas, and proof of such notice has been filed with the County Clerk of said County. Road viewers were appointed and did view said Road No. 114 and did recommend its vacation. Now, therefore:

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHASE COUNTY, KANSAS**, that the following described County Road, to-wit:

All right-of-way of Road No. 114 described as commencing at point on Road No. 114, 1225 feet east of the west section line of Section 15, Township 19 South, Range 8 East, thence east on Road No. 114 to a point 30 feet west of the east section line of Section 15, Township 19 South, Range 8 East, all in Chase County, Kansas

is, in the judgment of the Board, after the consideration of the road viewers recommendation is not a public utility.

**BE IT FURTHER RESOLVED** that the above described road be and the same is hereby vacated pursuant to the provisions of Ch. 68-102 and 68-102a, Kansas Statutes Annotated.

  
\_\_\_\_\_  
Tim Peterson, Chairman of the Board of  
County Commissioners of Chase County, Kansas

ATTEST:

  
\_\_\_\_\_  
Brande Studer, County Clerk

RESOLUTION NO. 2013-15

**A RESOLUTION PROVIDING FOR MEETINGS OF THE BOARD OF CHASE COUNTY COMMISSIONERS**

Be it Resolved by the Board of Chase County Commissioners in Regular Session assembled that:

**WHEREAS**, K.S.A. 19-206 provides that the Board of County Commissioners ("Board") of Kansas Counties with less than 8,000 inhabitants may meet as it determines from time to time; and

**WHEREAS**, Chase County, Kansas, has fewer than 8,000 inhabitants; and

**WHEREAS**, the Board has established protocol establishing its meeting schedule by Charter Resolution; and

**WHEREAS**, the Board has determined that said Charter Resolution(s) should be repealed and that the Board should meet as it determines from time to time as allowed by K.S.A. 19-206.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHASE COUNTY, KANSAS IN REGULAR SESSION ASSEMBLED THAT:**

**Section 1.** The Board shall establish a schedule of meetings at its annual reorganization for that year. The Board may change its meeting schedule from time to time provided that notice of the same shall be given to any person or entity that requests such notice as provided by law. The Board may meet in Special Session from time to time as prescribed in K.S.A. 19-206.

**Section 2.** Any Charter or Regular Resolution now in effect that is contrary to this Resolution is hereby repealed.

**Section 3.** This resolution shall be effective upon passage.

PASSED AND APPROVED this 28 day of March, 2013.

BOARD OF COUNTY COMMISSIONERS OF  
CHASE COUNTY, KANSAS

  
Tim Peterson, Chairman

ATTEST:

  
Brande Studer, County Clerk

(SEAL)

  
J.C. McNee, Vice Chairman

  
Bill Halvorson, Commissioner

RESOLUTION NO. 2013-16

BE IT RESOLVED, that the Board of County Commissioners of the County of Chase,

Kansas, hereby requests the Kansas Department of Transportation to investigate the

BNSF Railroad Company's crossing (DOT # unnumbered)

on 180 Rd.

Road, located 3 miles south and 2 miles east of Cottonwood Falls

for necessary warning devices.

BE IT RESOLVED, on this 8 day of April 2013.

BOARD OF COUNTY COMMISSIONERS

Chase County, Kansas

[Signature] Chairman

[Signature] Vice-Chairman

[Signature]  
Commissioner Member

ATTEST:

[Signature] Chase County Clerk

Send to: Mitch Sothers, P.E.  
Coordinating Engineer  
Kansas Department of Transportation  
700 SW Harrison Street  
Topeka, KS 66603-3754



RESOLUTION NO. 2013 - 17

WHEREAS, the Board of Chase County Commissioners of Chase County, Kansas, nas heretofore established a special fund as provided by K.S.A. 68-141g, and has designated such fund by the title of "Road Machinery and Bridge Building Fund", subject to the limitations and for the purposes as herein stated:

AND WHEREAS, approximately \$735,141.72 remains on hand and unexpended from the budget of the Road and Bridge Fund of Chase County, Kansas, for the year 2013 which sum was subject to legal expenditure during the year 2013.

NOW, THEREFORE, BE IT RESOLVED that the Treasurer of Chase County, Kansas, credit the Road Machinery and Bridge Building Fund the sum of \$140,000.00 and debit the amount of the sum total to the Road and Bridge Fund, and the County Treasurer and County Clerk are directed to make the necessary accounting entries to accomplish this transfer. It is further found that the sums transferred do not exceed twenty-five percent (25%) of such, subject to legal expenditure for roads, bridges, and highways within Chase County, Kansas, and that such transfer is authorized by statute and will be required for the financing of special improvement projects, the cost of which will exceed the money annually available from current revenues.

ADOPTED this 8 day of April, 2013.

Board of County Commissioners  
Chase County, Kansas

  
\_\_\_\_\_  
Tim Peterson, Chairman

  
\_\_\_\_\_  
J.C. McNee, Member

  
\_\_\_\_\_  
William R. Halvorsen, Member

ATTEST:

  
\_\_\_\_\_  
Brande Studer, County Clerk

RESOLUTION NO. 2013-18

**A RESOLUTION AMENDING THE COUNTY PERSONNEL POLICY RELATING TO OVERTIME PAY CALCULATION RESULTING FROM AN EMERGENCY EVENT**

Be it Resolved by the Board of Chase County Commissioners in Regular Session assembled that:

**WHEREAS**, the Board of County Commissioner (the "Board") of Chase County, Kansas, (the "County") promulgated a general Personnel Policy relating to employees of the County by adopting Resolution No. \_\_\_\_\_ on December 30, 2012; and

**WHEREAS**, pursuant to said Resolution, the County published a Personnel Handbook setting forth the details of that policy; and

**WHEREAS**, the Board has determined that so much of that policy as relates to overtime pay calculations relating to an emergency event should be amended..

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHASE COUNTY, KANSAS IN REGULAR SESSION ASSEMBLED:**

**Section 1.** The fourth bulleted item on Page 22 of the County Personnel Handbook dated December 30, 2012, providing that holiday pay shall not be included in calculating overtime, is amended as follows:

- In the event that an "Emergency Event" requires Road and Bridge Department employees to perform work that exceeds the normal work hours in any day shall be compensated at the overtime rate. The Board shall determine, in its sole judgement, when an Emergency Event within the meaning of this provision shall have occurred.

**Section 2.** That all other terms and provisions of said Resolution of December 30, 2012 and the Personnel Handbook promulgated thereby not otherwise amended hereby shall remain as provided therein. Furthermore, those provisions contained in said Resolution and Handbook hereby amended shall upon the effective date of this resolution be deemed repealed.

**Section 3.** That this resolution shall be effective upon passage.

**PASSED AND APPROVED** this 20<sup>th</sup> day of May, 2013.

BOARD OF COUNTY COMMISSIONERS OF  
CHASE COUNTY, KANSAS

\_\_\_\_\_  
Tim Peterson, Chairman

ATTEST:

Brande Studer  
Brande Studer, County Clerk

(SEAL)

J. C. McNee  
J. C. McNee, Vice Chairman

Bill Halvorsen  
Bill Halvorsen, Commissioner

RESOLUTION NO. 2013 - 19

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHASE COUNTY, KANSAS, TERMINATING THE LEVY OF THE ONE PERCENT (1%) COUNTYWIDE RETAILERS' SALES TAX FOR THE REMODELING OF THE CHASE COUNTY COURTHOUSE.**

**WHEREAS**, previously it was determined that it was necessary to remodel the Chase County Courthouse; and

**WHEREAS**, to finance a portion of said remodeling the Board of County Commissioners of Chase County, Kansas, obtained the permission of the voters of Chase County to impose a one percent (1%) countywide retailers' sales tax and issue general obligation bonds pursuant to K.S.A. 12-187(b)(2), K.S.A. 19-195(b) and Article 1, Chapter 10, Kansas Statutes Annotated as amended; and

**WHEREAS**, after receiving the approval of the voters of Chase County, the Board of County Commissioners of Chase County did issue General Obligation Bonds, Series 2008A in the amount of \$713,000.00 and General Obligation Bonds, Series 2008B in the amount of \$500,000.00; and

**WHEREAS**, pursuant to K.S.A. 12-187, as amended, the tax imposed is to remain in effect until sufficient sales tax to pay all of the costs incurred in the financing has been collected as determined by the Secretary of Revenue; and

**WHEREAS**, sufficient revenues have been collected to pay all of the costs incurred in the financing and all of the principal and interest of General Obligation Bonds, Series 2008A, and General Obligation Bonds, Series 2008B, have been paid in full.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHASE COUNTY, KANSAS**, in regular meeting assembled that:

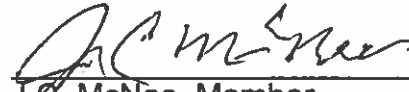
**SECTION 1.** Sufficient funds have been raised by the levy of the countrywide one percent (1%) retailers' sales tax to pay all of the costs of the financing of the remodeling of the Chase County, Kansas, and the principal and interest of General Obligation Bonds, Series 2008A and Series 2008B have been paid in full. The retailers' sales tax approved for this project is no longer needed.

**SECTION 2.** The Secretary of Revenue is hereby requested to find, pursuant to K.S.A. 12-187, that sufficient sales tax to pay the costs of the financing and that the principal and interest on General Obligation Bonds, Series 2008A, and General Obligation Bonds, Series 2008B, has been collected and the sales tax levy should terminate.

**SECTION 3.** The Secretary of Revenue is requested to terminate the countywide retailers' sales tax for Chase County.

**PASSED, APPROVED AND ADOPTED** this 28 day of June, 2013.

  
\_\_\_\_\_  
Jim Peterson, Chairman

  
\_\_\_\_\_  
J.C. McNee, Member

\_\_\_\_\_  
Bill Halvorsen, Member

**ATTEST:**

  
\_\_\_\_\_  
Brande Studer, County Clerk

(SEAL)

**CERTIFICATE**

Brande Studer, Clerk of Chase County, Kansas, hereby certifies, that the attached Resolution 2013- 19 was adopted by the Board of County Commissioners of Chase County, Kansas, at a regular meeting held June 28, 2013, and the same is a true and correct copy of said Resolution as the same appears in the records of the County Commission.

  
\_\_\_\_\_  
Brande Studer, County Clerk

(SEAL)

## RESOLUTION NO. 2013- 20

A Resolution regulating opening burning in Chase County, Kansas.

WHEREAS, Chase County, Kansas is situated in the Kansas Flint Hills Region, located in the Southern Plains; and

WHEREAS, The Kansas Flint Hills consist largely of grassland upon which graze Cattle and other Livestock; and

WHEREAS, grazing livestock provides the livelihood for much of its citizens; and

WHEREAS, the Flint Hills, and the Southern Plains in general, have robust seasons and weather, including wind and dry conditions such that at certain times and under certain conditions burning can be dangerous to the well being of livestock, homes, improvements and people from wildfire; and

WHEREAS, range burning is routinely practiced to manage grasslands; and

WHEREAS, under certain conditions, open burning should be regulated in order to avoid danger and damage; and

WHEREAS, the State of Kansas has adopted certain laws and regulations that apply to open burning; and

WHEREAS, the Chase County Sheriff (or his authorized designee) and the Chase County Fire Chief (or his designee) are informed and competent to determine those times when open burning should be regulated; and

WHEREAS, the Board of Chase County Commissioners, as the governing body of Chase County, Kansas, believes it prudent to exercise its police powers to promote the general welfare by adopting open burning regulations as appropriate public policy.

NOW, THEREFORE, Be it Resolved by the Board of Chase County Commissioners, in regular session assembled, that:

1. "Open Burning" is the intentional burning of any material outside of a container generally recognized as safe for such purpose. The Fire Chief is empowered to approve or disapprove a particular container for such purpose applying factors, generally recognized within the fire fighting discipline.
2. No open burning will occur in the following conditions:
  - a. wind speeds in excess of 14 miles per hour;
  - b. when the National Weather Service predicts wind gusts higher than 19 miles per hour;
  - c. when the Grassland Fire Index, published by the National Weather Service, is predicted to be in the "High" category; or
  - d. the National Weather Service has issued a "Red Flag Warning".
3. The Chase County Sheriff (or his designee), in consultation with the Chase County Fire Chief (or his designee), will determine whether any of the limiting conditions set forth above are in effect from day to day and, if necessary, from hour to hour. The Sheriff shall maintain archives detailing any of the above conditions,

RESOLUTION NO. 2013- 21

A Resolution of the Board of County Commissioners of Chase County, Kansas

**APPOINTMENT OF COUNTY APPRAISER**

WHEREAS, K.S.A. 19-430 requires that the Board of County Commissioners of Chase County, Kansas, appoint a County Appraiser on July 1 of each fourth year beginning in 1993 for a term of four years and until such time as a successor may be appointed, and


WHEREAS, any County Appraiser so appointed must possess the qualifications for such office as provided by law; and

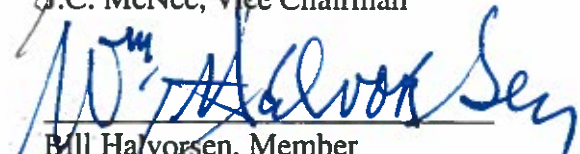
WHEREAS, Vicki L. Waggy is fully qualified to serve as the Chase County Appraiser and enjoys the support and confidence of the Board of County Commissioners.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Chase County, Kansas in Regular Session assembled that Vicki L. Waggy should be and is hereby appointed as County Appraiser of Chase County, Kansas for the term commencing July 1, 2013 and ending June 30, 2017 and until a successor may be appointed.

BY THE BOARD OF CHASE COUNTY COMMISSIONERS On this 15<sup>th</sup> day of July, 2013.

  
Tim Peterson, Chairman

  
J.C. McNee, Vice Chairman

  
Bill Halvorsen, Member

Attest:

  
Brande Studer, Chase County Clerk

Appointment accepted.


  
Vicki L. Waggy, County Appraiser

RESOLUTION NO. 2013-22

A Resolution appointing Richard J. Dorneker VICE Jay Whitney as Director of the Chase County Department of Corrections & Rehabilitation.

BE IT RESOLVED BY THE BOARD OF CHASE COUNTY COMMISSIONERS in regular session assembled that Richard J. Dorneker is hereby appointed as the Director of the Chase County Department of Corrections & Rehabilitation VICE Jay Whitney, effective at 3:50 o'clock p.m. on the 31<sup>st</sup> day of July, 2013.

  
Tim Peterson, Chairman

  
J.C. McLee, Vice Chairman

  
Bill Halvorsen, Member

Attest:

  
Brande Studer



RESOLUTION # ~~2013-23~~ AND PROCLAMATION

PROCLAMATION of a State of Local Disaster Emergency for Chase County, Kansas:

WHEREAS on the 7 day of August, 2013, the Board of Commissioners of Chase County, Kansas finds that certain conditions have caused, or eminently threaten to cause wide-spread or severe damage, injury or loss of life or property in disaster proportion in Chase County, Kansas;

WHEREAS, such conditions have created obstructions which endanger health, safety and welfare of persons and property within the border of Chase County, Kansas.

Now, therefore, be it resolved by the Board of Commissioners of Chase County, Kansas:

That the Board of County Commissioners of Chase County, Kansas, under and by virtue of the authority vested in it by K.S.A. 1976 Supp. 48-932, does hereby PROCLAIM that a State of Local Disaster Emergency exists.

IT IS FURTHER RESOLVED AND PROCLAIMED that the area within the border of Chase County, Kansas covered by this proclamation/ resolution is the entire area of Chase County , Kansas.

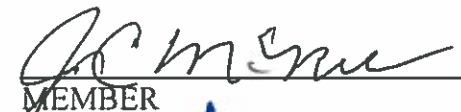
BE IT FURTHER RESOLVED that said Board has all rights and/or powers to perform such functions as are vested in said Board by and through the provisions of the Kansas Emergency Preparedness Act of 1975.

IT IS FURTHER RESOLVED AND PROCLAIMED that this resolution shall remain in effect for a period of seven (7) days unless terminated earlier or renewed by consent of the governing body.

ADOPTED BY THE BOARD OF CHASE COUNTY COMMISSIONERS THIS 7 DAY OF AUGUST, 2013.



  
COUNTY COMMISSION CHAIRMAN

  
MEMBER

  
MEMBER

  
COUNTY CLERK

Resolution no. 24

A RESOLUTION RELATING TO THE SOLID WASTE MANAGEMENT PLAN  
OF CHASE COUNTY, THE CITY OF EMPORIA AND LYON COUNTY, KANSAS

WHERSAS the Board of County Commissioners of Chase County, Kansas met in due and regular session on this August 12, 2013; and

WHEREAS the solid waste planning committee met on July 30, 2013, at the City Water Plant Meeting Room with members of that committee being present for the purpose for the Annual Review for the solid Waste Management Plan which Lyon County is required by statute to have :and

WHEREAS the Solid Waste Management Plan Annual Review for Chase County, The City of Emporia and Lyon County dated July 30, 2013 was adopted with amendments as set out in the Solid Waste Management Planning Committee Meeting Minutes of May 21, 2013.

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Chase County, Kansas that the Solid Waste Management Plan Annual Review for Chase County. The City of Emporia and Lyon County, Kansas dated July 30, 2013 along with the amendments made to that Plan made by the Solid Waste Committee meeting of May 21, 2013, held at the City Water Plant Meeting Room is hereby adopted as the Solid Waste Management Plan Annual Review for Chase County. The City of Emporia and Lyon County, Kansas by the Board of County Commissioners of Chase County upon publication.

BOARD OF COUNTY COMMISSONERS  
CHASE COUNTY, KANSAS



ATTEST:

*[Signature]*  
\_\_\_\_\_  
Tim Peterson, Chairman  
*[Signature]*  
\_\_\_\_\_  
J.C. McMan, Vice Chairman  
*[Signature]*  
\_\_\_\_\_  
Bill Halvorsen, Member

*[Signature]*  
\_\_\_\_\_  
Brande Studer, County Clerk