

THE BOARD OF COUNTY COMMISSIONERS
OF
ELK COUNTY, KANSAS

RESOLUTION NO. 21-11

A RESOLUTION ESTABLISHING A COUNTY LAND BANK PURSUANT TO K.S.A. 19-26,103, *et seq.*

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS
OF ELK COUNTY, KANSAS:

Section 1. Elk County, Kansas (hereinafter "the County"), by the power vested in it by K.S.A. 19-26,103, *et seq.*, hereby establishes a County land bank. The land bank will be the centralized point of contact for individuals and developers interested in acquiring developable vacant and abandoned land within the County. The land bank will be guided in its affairs by a board of trustees.

Section 2. The land bank board of trustees shall consist of a three (3) member board comprised of the Board of County Commissioners of the County or their designee(s) .

Section 3. The Land Bank Trustees shall select a Coordinator, with duties and responsibilities to be defined by Trustees. The land bank may be staffed or supported by the administrative staff of the County.

Section 4. CASH BASIS. The bank shall be subject to the provisions of the cash-basis law, K.S.A. *et seq.*, and amendments thereto, as provided in K.S.A. 19-26, 105(a).

Section 5. BUDGET. The budget of the bank shall be prepared, adopted and published as provided by law for other political subdivisions of the state. No budget shall be adopted by the board until it has been submitted to, reviewed and approved by the Board of County Commissioners of the County.



STATE OF KANSAS, ELK COUNTY ✓✓
REGISTER OF DEEDS, STEPHANIE J. OLLENBORGER
Book: M574 Page: 353

Receipt #: 18863
Pages Recorded: 4

Total Fees: No Charge

BY: Stephanie J. Ollenborger

Date Recorded: 9/22/2021 1:18:03 PM

Section 6. For any property acquired by the land bank, the trustees shall: (1) manage, maintain and protect the same; (2) compile and maintain a written inventory of such property; (3) study, analyze and evaluate potential, present and future uses for such property which would provide for its effective re-utilization; (4) plan for and use the board's best efforts to consummate the sale or other disposition of such property upon such terms and conditions deemed appropriate; (5) establish and maintain records and accounts reflecting all transactions, expenditures and revenues relating to the banks activities; and (6) develop such policies and procedures as the board determines reasonable and necessary to effectuate the purposes of the land bank.

Section 7. Property available for inclusion in the land bank shall include, but not be limited to: (1) parcels of tax delinquent property foreclosed on by the County pursuant to K.S.A. 79-2401, et seq. and requested by the land bank board of trustees pursuant to its authority under K.S.A. 19-26,103, et seq.; (2) property currently held in the name of the County; (3) parcels of property donated by other governmental entities; (4) property purchased by the land bank board of trustees to compliment properties previously identified to the land bank through other means; and (5) property offered to and accepted by the land bank.

Section 8(a). The land bank staff shall consult with any individuals, organizations and developers which may be affected by a land bank development project and pass on to the land bank board of trustees the recommendations and concerns of individuals, organizations and developers.

Section 8(b). Proposals will be reviewed by the land bank staff and forwarded to the land bank board of trustees along with recommendations and/or concerns of affected individuals, organizations and developers.

Section 9. There is hereby created the Land Bank Operating Fund within the county budget. The land bank shall be authorized to receive and disburse funds from the Land Bank Operating fund in order to carry out the functions of the land bank. The Board of County Commissioners of the County may advance operating funds to the Land Bank Operating Fund to pay expenses of the land bank.

Section 10. The land bank is required to make an annual report to the County Commissioners of the County, on or before January 31 of each year, showing receipts and disbursements from all funds under its control.

Section 11. Any money derived from the sale of property by the land bank shall be retained by the land bank. Any funds not immediately required for the purposes of the land bank shall be invested in the manner provided by K.S.A. 12-1675, and amendments thereto.

Section 12. Members of the board of trustees shall receive no compensation, but shall be paid their actual expenses in attending meetings and carrying out their duties as members of the board of trustees.

Section 13. STATUTORY AUTHORITY. The provisions of this resolution shall at all times be consistent with K.S.A. 19-26,103 et seq. and amendments thereto.

Section 14. This ordinance shall take effect and be in force from and after its publication once in the official newspaper of the County.

Passed and approved by the Board of County Commissioners of Elk County, Kansas, this
13th day of ~~September~~ 2021.

Approved and signed by the Board of County Commissioners this 30th day of August,
2021.


Board of County Commissioners
Elk County, Kansas



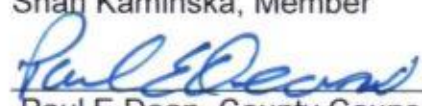
Doug Hendricks, Chairman



Jake Liebau, Member



Shari Kaminska, Member



Paul E Dean, County Counselor

ATTEST:



Kerry Harrod County Clerk

