

(Published in the official county newspaper on the 23rd day of October, 2013)

RESOLUTION NO. 28 - 2013

A RESOLUTION ESTABLISHING CONDITIONS FOR THE SALE OF COUNTY-OWNED PROPERTY; PUBLICATION AND NOTICE REQUIREMENTS.

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

WHEREAS, the County in the form of its duly elected governing body has the authority under K.S.A. § 19-211(b) to exercise control over the County's financial matters and sell property using an alternative methodology from the stated requirements of K.S.A. § 19-211(a), and;

WHEREAS, the Board of County Commissioners of Cherokee County, Kansas, meeting in regular session, this 21st day of October, 2013, does hereby resolve as follows:

Section 1. Alternative Methodology; Applicability. Pursuant to K.S.A. § 19-211(b), the selling of county-owned property described herein shall be done by using an alternative methodology from the stated requirements of K.S.A. § 19-211(a). This methodology shall only apply to property the county commissioners determine should be offered to be sold to the public in some manner. This Resolution does not apply to the sale of county-owned property that the county commission determines should be sold to a particular individual(s), association or other entity.

Section 2. Sale of Property of a Value of Greater than \$1000.00. In the event the county commission shall sale personal property or real property, the value of which the commission finds likely to exceed \$1000.00, whether valued as individual items or in bulk, it shall cause such items to be sold by the procedures set forth in this paragraph.

1. Notice to the public of the property to be sold shall be published once in the official county newspaper at least 7 days in advance of the sale.

2. The notice shall list each item to be sold if the property bears a title as evidence of ownership.

3. The notice shall state the method of sale, including but not limited to, fixed price, negotiated bid, sealed bid, public auction, or any other method of sale that allows public participation.

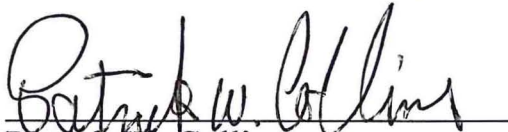
4. The notice shall state the location of any auction or the place of submission of bids and the deadline therefore, as may be applicable.

Section 3. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this resolution, or the application thereof to any circumstances, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this resolution.

Section 4. Repeal. Resolution 15-2008 is hereby repealed.

Section 5. Effective Date. This resolution shall take effect and be in full force from and after its passage and publication once in the official county newspaper.


Adopted this 21st day of October, 2013, by the BOARD OF COMMISSIONERS OF CHEROKEE COUNTY, KANSAS.


Patrick W. Collins
County Commissioner


Richard J. Hilderbrand
County Commissioner


Charlie Napier
County Commissioner

ATTEST:


Rodney Edmondson
County Clerk of Cherokee County,
Kansas
Resolution No. 28 - 2013

Prepared by:
Kevin Cure, Attorney