

RESOLUTION NO. 22-2025

**A RESOLUTION BY THE CHEROKEE COUNTY, KANSAS BOARD OF COMMISSIONERS
AMENDING THE 2023 NEIGHBORHOOD REVITALIZATION PROGRAM**

WHEREAS the Cherokee County Board of Commissioners passed Resolution 2023-002 on April 3, 2023, adopting the 2023 Neighborhood Revitalization Program, hereinafter referred to as the "2023 NRP", pursuant to K.S.A. 12-17,117.

WHEREAS Applications for NRP tax rebates shall be submitted in the manner and subject to the conditions provided by the 2023 NRPS. K.S.A. 12-17,118(d).

WHEREAS 2023 NRP, Section VIII(B) currently provides:

A rebate application must be filed prior to the Plan's expiration and prior to or within sixty (60) days of the issuance of a building permit or initiation of work (if no building permit is required) as determined by the Cherokee County Clerk in consultation with the Cherokee County 911 Addressing and Mapping Department. An application determined to be "out-of-time" shall be accepted by the County Clerk if the applicant can demonstrate that prior to commencing the improvements, he or she intended to use the program's benefits for the specific improvement proposed in the application. Some factors that may be used to determine the intent and prior knowledge of the program include previous written or verbal communication with county staff, contractors, or other interested parties in the project. The fact that the applicant was not made aware of the program by city and/or county staff shall not be used as a factor in this determination. An application shall not be accepted "out-of-time" if the building permit was issued to correct a past zoning or building code violation. The applicant must submit all evidence in writing that supports the above criteria to the County Clerk within one (1) year of the issuance of the building permit. The applicant may appeal the County Clerk's decision to the Board of County Commissioners who have final authority over the matter.

WHEREAS 2023 NRP, Section X(C) currently provides as follows:

The applicant shall file the Application for Tax Rebate with the Cherokee County Clerk's Office prior to beginning construction or within sixty (60) days of issuance of the building permit, required by Section X (B) of the Plan, or as permitted under

Section VIII (B) of the Plan. A \$25 non-refundable fee must be submitted with the Application to be applied to the costs of administering the program.

NOW THEREFORE the Cherokee County Board of Commissioners hereby resolves:

I. 2023 NRP, Section VIII(B) shall be amended to read as follows:

The Application for Tax Rebate must be filed with the Cherokee County Clerk's Office prior to the Plan's expiration and prior to or within sixty (60) days of the issuance of a building permit, as required by Section X(B) of the Plan. A \$25 non-refundable fee must be submitted with the Application to be applied to the costs of administering the program.

II. 2023 NRP, Section X(C) shall be amended to read as follows:

The applicant shall file the Application for Tax Rebate with the Cherokee County Clerk's Office as required by Section VIII(B) of this Plan.

IT IS FURTHER RESOLVED

BE IT RESOLVED this 8th day of September 2025 by the Cherokee County Board of Commissioners.

Approved:

Attest


Myra Carlisle-Frazier
County Commissioner


Taylor Brown
County Clerk


Jack Garner
County Commissioner


Cory Moates
County Commissioner