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## **CHARTER RESOLUTION NO. 2025-21**

**A CHARTER RESOLUTION OF REPUBLIC COUNTY, KANSAS EXEMPTING SUCH COUNTY FROM THE PROVISIONS OF K.S.A. 12-1758, K.S.A. 12-1760 AND K.S.A. 12-1767b RELATING TO PUBLIC BUILDING COMMISSIONS AND THE ISSUANCE OF REVENUE BONDS THEREBY; AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS RELATING THERETO, INCLUDING A PROVISION THAT AUTHORIZES A REPUBLIC COUNTY, KANSAS PUBLIC BUILDING COMMISSION TO ISSUE REVENUE BONDS IN AN AMOUNT NOT EXCEEDING \$17,860,000 TO PAY THE COSTS TO FINANCE CONSTRUCTION AND EQUIPPING OF A NEW COUNTY PUBLIC SAFETY AND LAW ENFORCEMENT FACILITY TO BE LOCATED AT 1192 BELL LANE, BELLEVILLE, KANSAS.**

**WHEREAS**, K.S.A. 19-101 to 19-101c, inclusive, as amended (the "Act") provide that counties may exercise certain home rule powers, including adopting charter resolutions which exempt such counties from enactments of the Kansas Legislature as long as such powers are not limited as provided in the Act; and

**WHEREAS**, Republic County, Kansas (the "County") is a county as defined in the Act, duly created and organized under the laws of the State of Kansas (the "State"); and

**WHEREAS**, K.S.A. 12-1758, K.S.A. 12-1760 and K.S.A. 12-1767b are a part of an enactment of the Kansas Legislature (K.S.A. 12-1757 *et. seq.*) relating to public building commissions and the issuance thereby of revenue bonds, which enactment is applicable to the County, and is subject to modification by charter resolution; and

**WHEREAS**, the governing body of the County desires, by charter resolution, to exempt the County from the provisions of K.S.A. 12-1758, K.S.A. 12-1760 and K.S.A. 12-1767b, and to provide substitute and additional provisions therefor in order to provide (a) additional and alternative methods for financing certain public buildings in the County and (b) an alternative method of authorizing the issuance of revenue bonds by the public building commission, once organized.

**WHEREAS**, the governing body of the County desires to submit this charter resolution to the County electors in conjunction with the November 4, 2025 general election to be held in the County; and

**WHEREAS**, the Act provides that the County may submit any charter resolution directly to a referendum and such charter resolution shall become effective when approved by a majority of the electors voting thereon.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF REPUBLIC COUNTY, KANSAS AS FOLLOWS:**

**Section 1. Exemption-K.S.A. 12-1758.** The County, by the power vested in it by the Act, hereby elects to exempt itself from and make inapplicable to it, the provisions of K.S.A. 12-1758 and does hereby

provide the following substitute and additional provisions in place thereof:

(a) The County, by ordinary resolution, may create a public building commission for the purposes of acquiring a site or sites for and constructing, reconstructing, equipping and furnishing, or purchasing or otherwise acquiring, a building or buildings or other facilities of a revenue producing character. Such building or buildings or facilities shall be maintained and operated for (i) a county courthouse, (ii) housing and accommodation of county offices or other county business, including, without limitation, public safety, law enforcement and detention facilities, (iii) housing and accommodation of city offices or other city business, (iv) community or recreational purposes of the County or a city, (v) educational, recreational or administrative purposes for school districts, (vi) health care facilities, (vii) housing, accommodations and parking facilities for offices of state and federal agencies or (viii) such other purposes as are commonly carried on in connection with such County, city, school district, state or federal facilities.

(b) A public building commission created by the County may acquire fee simple title or a leasehold interest in land and facilities adjacent to or near any educational institution under the supervision and/or control of the state board of regents or may acquire by lease, land and facilities constituting a part of the campus of any such institution. Any public building commission may construct, reconstruct, equip and furnish such facilities on such land and lease such land and facilities to the official governing body of such institution. Any such lease entered into shall pledge the net revenue from such land and facilities to payment of bonds issued to pay costs of such facilities.

**Section 2. Exemption-K.S.A. 12-1760.** The County, by the power vested in it by the Act, hereby elects to exempt itself from and make inapplicable to it the provisions of K.S.A. 12-1760 and does hereby provide substitute and additional provisions in place thereof as follows:

A public building commission created by the County shall have the power to do all things necessary or incidental to the purpose of acquiring a site or sites, and constructing or acquiring or enlarging, furnishing and operating and maintaining buildings or facilities to be made available for use by governmental agencies and non-profit corporations organized under the laws of this state.

**Section 3. Exemption-K.S.A. 12-1767b.** The County, by the power vested in it by the Act, hereby elects to exempt itself from and make inapplicable to it the provisions of K.S.A. 12-1767b and does hereby provide substitute and additional provisions in place thereof as follows:

(a) Any revenue bonds proposed to be issued by a public building commission created by the County shall be issued as provided in K.S.A. 10-1201 *et seq.* and amendments thereto, except to the extent that such statutes are in conflict with this Charter Resolution or K.S.A. 12-1757 *et seq.*, or both. Before any revenue bonds are authorized or issued under the provisions of this Charter Resolution and K.S.A. 12-1757 *et seq.*, the public building commission shall adopt a resolution specifying the amount of such bonds and the purpose of the issuance thereof.

(b) Except as otherwise provided in subsection (c) of this section, such resolution shall be published once a week for two consecutive weeks in the official County newspaper or in a newspaper having general circulation in a city if the lease is with such city. Except as



otherwise provided in subsection (c) of this section, the resolution shall provide that if within 30 days after the last date of publication of the resolution a petition in opposition to the resolution, signed by not less than 5% of the electors of the County, or by not less than 5% of the electors of the city, school district or other political subdivision, if the lease is with such entity, is filed with the county election officer, the board of county commissioners shall submit the question to the voters at an election called for that purpose or at the next general election.

(c) If a public building commission created by the County adopts a resolution that authorizes the issuance of revenue bonds in an amount not exceeding \$17,860,000 to finance construction and equipping of a County public safety and law enforcement facility, to be located at 1192 Bell Lane, Belleville, Kansas, such resolution shall not be subject to the requirements of subsection (b) of this section.

(d) No construction contract shall be let or approved by a public building commission created by the County until after the expiration of the protest period provided under this section, except with respect to construction and equipping of a County public safety and law enforcement facility described in subsection (c) of this section, as to which a construction contract may be let or approved after adoption of a resolution authorizing bonds for such facilities.

**Section 4. Severability.** If any provision or section of this Charter Resolution is deemed or ruled unconstitutional or otherwise illegal or invalid by any court of competent jurisdiction, such illegality or invalidity shall not affect any other provision of this Charter Resolution. In such instance, this Charter Resolution shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

**Section 5. Calling of Election.** It is hereby authorized, ordered and directed pursuant to the Act that a special question election shall be and is hereby called to be held in the County on November 4, 2025, in conjunction with the general election to be held that date, at which time there shall be submitted to the qualified electors of the County the following proposition:

Shall Charter Resolution No. 2025-21 of Republic County, Kansas, entitled:

**A CHARTER RESOLUTION OF REPUBLIC COUNTY, KANSAS EXEMPTING SUCH COUNTY FROM THE PROVISIONS OF K.S.A. 12-1758, K.S.A. 12-1760 AND K.S.A. 12-1767b RELATING TO PUBLIC BUILDING COMMISSIONS AND THE ISSUANCE OF REVENUE BONDS THEREBY; AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS RELATING THERETO, INCLUDING A PROVISION THAT AUTHORIZES A REPUBLIC COUNTY, KANSAS PUBLIC BUILDING COMMISSION TO ISSUE REVENUE BONDS IN AN AMOUNT NOT EXCEEDING \$17,860,000 TO PAY THE COSTS TO FINANCE CONSTRUCTION AND EQUIPPING OF A NEW COUNTY PUBLIC SAFETY AND LAW ENFORCEMENT FACILITY TO BE LOCATED AT 1192 BELL LANE, BELLEVILLE, KANSAS**

take effect?

**Section 6. Conduct of Election.** The election shall be conducted in the same manner as elections for County officers by the officers handling such elections and the vote at said election shall be by ballot, and the proposition stated above shall be printed on the ballot, together with voting instructions as provided by law.

**Section 7. Publication.** The County Clerk is directed to cause this Charter Resolution to be published once each week for three consecutive weeks in the official County newspaper prior to the November 4, 2025 election.

**Section 8. Notice of Election.** The County Clerk shall give notice of the special charter resolution election as provided by law by publishing a Notice of Special Question Election in substantially the form attached hereto as *Exhibit A* once at least 10 (ten) days prior to the date of the special question election.

**ADOPTED** by the Board of County Commissioners of Republic County, Kansas by unanimous vote of the elected members thereof on August 18, 2025.

  
Edwin Splichal, Chairperson

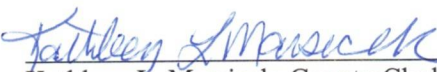
  
Tim Eitzmann, Commissioner

  
Doug Jackson, Commissioner

(SEAL)



**ATTEST:**

  
Kathleen L. Marsicek, County Clerk