

PUBLICATION: _____

RESOLUTION NO. 2023-06

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
LEAVENWORTH, KANSAS REGARDING FORMATION OF LEAVENWORTH
COUNTY FIRE DISTRICT NO. 2**

WHEREAS, the Board of County Commissioners is committed to providing adequate fire-fighting resources using a fiscally responsible approach that meets the needs of the citizens of the County; and

WHEREAS, K.S.A. section 19-3601 authorizes and empowers a Board of County Commissioners to organize one or more fire districts and to include within the fire district a city of the third class, pursuant to procedures set forth in statute; and

WHEREAS, the Boards of both Reno Township and Sherman Township, as well as the City Council of the City of Linwood, have requested and proposed formation of a new Leavenworth County Fire District No. 2 to efficiently provide fire-protection services to the areas encompassed by those entities; and

WHEREAS, pursuant to K.S.A. 19-3612a, the Board of County Commissioners has determined that it is in the best interests of the county to place the supervision of the anticipated Fire District No. 2 under the supervision of a fire district board of trustees; and

WHEREAS, pursuant to K.S.A. 19-3612a(b), the Board of County Commissioners intends to delegate its authority to appoint the members of the fire district board of trustees to a joint board appointed by the governing bodies of cities and townships located within the fire district, such board of trustees to be vested with all of the powers vested in the Board of County Commissioners pursuant to K.S.A. 19-3601 through 19-3606, and amendments thereto; and

WHEREAS, pursuant to K.S.A. 19-3612a, the Board of County Commissioners intends to enter into an interlocal agreement, in substantially the form attached hereto as Exhibit "A," to accomplish the purpose of delegating its authority to appoint the board of trustees of said Fire District No. 2, which board shall be vested with all of the powers of this Board of County Commissioners with regard to supervision and operation of said Fire District No. 2, to the fullest extent allowed by statute;

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS, SITTING IN REGULAR SESSION, DOES HEREBY RESOLVE:

1. That the formation of Fire District No. 2, County of Leavenworth, Kansas, encompassing the entirety of Reno Township and Sherman Township (including the

City of Linwood) is advisable in the public interest for protection of lives and property from the hazards of fire; and

2. That the boundaries of said Fire District No. 2, County of Leavenworth, Kansas, are coextensive with the boundaries of Reno and Sherman Townships, including the City of Linwood.
3. That, it is to the best interests of Leavenworth County to place the supervision of Fire District No. 2 under a fire district board of trustees and upon formation of said Fire District No. 2, the Board of County Commissioners shall, pursuant to interlocal agreement as authorized by K.S.A. 19-3612a, delegate its authority to appoint the Fire District No. 2 Board of Trustees to a Joint Board consisting of the governing bodies of Reno and Sherman Township Boards and the City of Linwood, as further detailed in the parties' proposed interlocal agreement;
4. That upon formation of said Fire District No. 2, the Board of County Commissioners shall, pursuant to interlocal agreement and as authorized by K.S.A. 19-3601 delegate the powers and duties of the County Clerk and County Treasurer with regards to the secretary and treasurer position with the Fire District Board of Trustees, to person it deems qualified to serve as such subject to requirement set out by state law;
5. That, as provided for in the Attached Exhibit "A," it is the intent of the parties to the Interlocal Agreement, by and through the Fire District 2 Board of Trustees, to levy a tax not to exceed 5.7 mills as a baseline of funding for the Fire District 2 operations; provided, however, that Reno and Sherman Townships will not separately levy any tax for purposes of fire protection that would be duplicative of, or in addition to, the Fire District 2 mill levy.
6. That a public hearing on this resolution shall be held May 17, 2023, following publication of this resolution and a map of the proposed boundaries pursuant to statute.

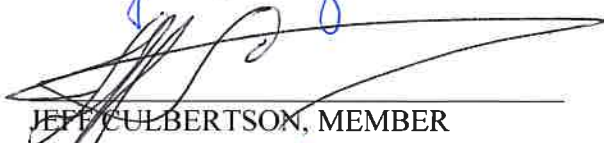
Staff is authorized and directed to prepare and publish the statutory notices and prepare all other necessary and appropriate documentation to accomplish the formation of said Fire District No. 2, County of Leavenworth, KS, as described above.

ADOPTED the __ day of __, 2023.

BOARD OF COUNTY COMMISSIONERS
OF LEAVENWORTH COUNTY, KANSAS



VICKY KAAZ, CHAIR



JEFF CULBERTSON, MEMBER



MIKE SMITH, MEMBER



DOUG SMITH, MEMBER

absent

MIKE STIEBEN, MEMBER



ATTEST: 

JANET KLASINSKI, CLERK