

INTERLOCAL AGREEMENT WITH CITY OF HOISINGTON

Detail: In the past several years, the Board has approved Interlocal Agreements with the cities of Great Bend, Ellinwood, Hoisington and Claflin. Attached is a copy of a proposed Interlocal Agreement (and supporting documents) with the City of Hoisington, effective March 1, 2010, for the Board's consideration. Jonathan Mitchell, City Administrator of Hoisington, will address questions relative to proposed changes since the Board last approved an Interlocal Agreement with the City of Hoisington.

Recommendation: To lend support, it is recommended that the Board authorizes President Heilman to sign the Interlocal Agreement with the City of Hoisington as presented.

Interlocal Agreement

This interlocal agreement (hereinafter referred to as "Agreement"), effective March 1, 2010, by and between the City of Hoisington, Kansas, a duly organized municipal corporation (hereinafter referred to as "City") and the County of Barton, Kansas (hereinafter referred to as "County"), the Board of Education of USD # 431 of Hoisington, Barton County, Kansas (hereinafter referred to as "the District") and Barton Community College, Barton County Kansas (hereinafter referred to as "the Community College").

WHEREAS, K.S.A. 12-2904 allows public agencies to enter into interlocal agreements to jointly perform certain functions including economic development; and

WHEREAS, K.S.A. 12-17, 114 et seq. provides a program for neighborhood revitalization and further allows for the use of interlocal agreements between municipalities to further neighborhood revitalization; and

WHEREAS, it is the desire and intent of the parties hereto to provide the maximum economic development incentive as provided for in K.S.A. 12-17, 119 by acting jointly.,

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS CONTAINED HEREIN, THE PARTIES AGREE AS FOLLOWS:

1. The parties agree to adopt a neighborhood revitalization plan as contained in Exhibit A, attached hereto and incorporated by reference as if fully set forth herein. The parties further agree the neighborhood revitalization plan as adopted will not be amended without approval of the parties except as may be necessary to comply with applicable state law or regulation.

2. The parties further agree that the County shall administer the neighborhood revitalization plan as adopted by each party on behalf of the signatory parties. The County shall create a neighborhood revitalization fund pursuant to K.S.A 12-17, 118 for the purpose of financing the plan and to provide rebates.

3. This Agreement shall expire December 31, 2013. The parties agree to undertake a review of the neighborhood revitalization plan concluding on or before September 1, 2013 to determine any needed modifications to the neighborhood revitalization plan and participation in a new interlocal agreement. The parties agree that any party may terminate this agreement prior to December 31, 2013 by providing thirty (30) days advance notice provided however any applications for tax rebate submitted prior to termination shall, if approved, be considered eligible for the duration of the rebate period unless a natural disaster takes place. If a natural disaster takes place, applications and rebates shall be handled according to the neighborhood revitalization plan. Any public Agency which does not execute this Agreement on or before March 1, 2010, shall be considered not a party.

IN WITNESS WHEREOF, the Public Agencies have caused this agreement to be duly executed by their respective appropriate representatives.

City of Hoisington, Kansas

_____,
Clayton Williamson, Mayor

ATTEST:

_____,
Donita Crutcher, City Clerk

County of Barton, Kansas

_____,
Kirby Krier Chairperson, Board of Commissioners

ATTEST:

_____,
Donna Zimmerman, County Clerk

Board of Education Unified School District #431

_____,
Mike Kaiser, President

ATTEST:

_____,
Bonnie Smith, Clerk of the Board

Board of Trustees, Barton County Community College

_____,
Dr. Carl Heilman, President, BCCC

ATTEST:

_____,
John Moshier, Board Secretary

Approved this _____ day of _____, 2010 by the Attorney General of the State of Kansas.

Kansas Attorney General

Assistant Attorney General