

# **BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS**

## **MONDAY, NOVEMBER 25, 2002**

9:00 A.M.

-Convene

-Consider approval of minutes of June 24, June 26, July 1, July 2, July 3, July 8 and November 18, 2002

## **CONSENT AGENDA**

- (1) (a) Consider approval of Commission Orders

## **REGULAR AGENDA**

(2) Planning item: TA-05-02A-02: Text Amendment to Section 21-104(a) of the Joint City/County Subdivision Regulations to require subdivision plats within the City of Lawrence to include all contiguous land under the same ownership. (Bryan Dyer)

(3) Consider recommendation to purchase tractor and mower for Maintenance (Jackie Waggoner/Bill Bell)

(4) Consider recommendation of contract for Storage Area Network (Jackie Waggoner/Jim Lawson)

(5) Consider approval of resolution authorizing and approving the extension of maturity of \$400,000 principal amount of temporary notes, Series 2002-1, of Douglas County, Kansas; and making certain covenants and agreements in connection therewith.

(6) Investment Committee Report (Pat Wells)

(7) Other Business

(a) Consider approval of Accounts Payable (if necessary)

(b) Appointments

(c) Miscellaneous

(d) Public Comment

(8) Adjourn

## **WEDNESDAY, NOVEMBER 27, 2002**

-No Commission Meeting

## **MONDAY, DECEMBER 2, 2002**

-Notice to Townships (Patty Jaimes)

-Joint meeting with Board of Zoning Appeals

-Report from Health Department on air quality

## **JUNE 24, 2002**

Chairman McElhaney called the meeting to order at 9:07 A.M. on Monday, June 24, 2002. All members were present. The Pledge of Allegiance was recited.

Jones made a motion to approve the minutes of January 7, January 14, January 16, January 23 and January 28, 2002. Johnson seconded and the motion carried unanimously.

### **CONSENT AGENDA 06-24-02**

Johnson made a motion to approve the following Consent Agenda:

- ▶ Approve Commissioners Order Nos. 5032 and 5033. Orders are on file in the office of the County Clerk;
- ▶ Authorize staff to negotiate proposals submitted by TFM Communications and Commenco for the purchase of two (2) VHF base station repeaters and two (2) control stations for use in emergency fire and medical dispatch operations in the southern portion of Douglas County; and
- ▶ Approve the contract with Vance Brothers, Inc. in the amount of \$88,050.72 for Project No. 2002-9, microsurfacing on Route 1061, and authorization of the Public Works Director to approve change orders up to 10% of the contract amount.

Motion was seconded by Jones and carried unanimously.

### **YOUTH SERVICES & GRANTS 06-24-02**

The Board considered approval of the final recommendation for Juvenile Justice Authority (JJA) 2003 Grant Awards. Pam Weigand, Director of Youth Services, was present for the discussion. Weigand explained that the grant process was changed this year to a two-year grant cycle. Agencies were asked to submit goals and outcomes for FY 2003/2004 along with a proposed budget request for FY 2003 only. It is anticipated that grantees will be selected for the two-year grant period, then determine each allocation award on an annual basis after JJA funding has been established by the Legislature. The Planning Team Executive Committee members interviewed all applicant agencies and presented their recommendations to the Douglas County Juvenile Corrections Advisory Board. The Advisory Board reviewed and approved the funding recommendations as outlined by the Executive Committee for the 7<sup>th</sup> Judicial District Juvenile Justice Authority 2003 Grant Awards as follows:

7 JUDICIAL DISTRICT JUVENILE JUSTICE AUTHORITY GRANT APPLICATION SUMMARY FY 2003				
Applicant Agency	Program	FY 2002 Award	FY 2003 Requested	FY 2003 Proposed
<b>PREVENTION</b>				
Berl Nash Mental Health Center	Working to Recognize Alternative Possibilities (WRAP)	\$62,838.00	\$60,000.00	\$55,050.00
Boys And Girls Club of Lawrence	Passport to Manhood	\$5,550.00	\$10,565.00	\$9,720.00
K.U. Center for Research, Inc.	KU Truancy Prevention & Diversion Program	\$7,738.00	\$8,125.00	\$7,475.00
Lawrence-Douglas County Housing Authority	Prevention Program for Youth	\$0.00	\$67,028.00	\$0.00
Lawrence Partnership for Children and Youth	YouthFriends Mentoring	\$0.00	\$29,882.00	\$0.00
Mother to Mother of Douglas County	Dad's Time	\$4,331.00	\$3,615.56	\$3,327.00
Unified School District 348 (Baldwin)	Tutoring for School Success	\$8,719.00	\$10,657.35	\$9,804.00
Unified School District 348 (Baldwin)	Bulldog Den (Jr. High)	\$8,745.00	\$8,745.00	\$8,045.00
Unified School District 497 (Lawrence)	Junior High Prevention Program	\$23,804.00	\$38,022.00	\$19,694.00
Van Go Mobile Arts	Jobs in the Arts Make Sense (JAMS)	\$26,368.00	\$16,500.00	\$15,180.00
<b>Prevention Total</b>		<b>\$148,093.00</b>	<b>\$253,139.91</b>	<b>\$128,295.00</b>
<b>INTERVENTION GRADUATED SANCTION</b>				
Big Brothers and Big Sisters	Partnership With Youth	\$10,368.00	\$66,087.00	\$8,812.00
Douglas County Citizen Review Board (CRB)	JO CRB	\$16,354.00	\$19,649.00	\$13,901.00
Douglas County Youth Services	Detention Day School	\$45,837.00	\$45,086.00	\$33,591.00
DCCCA	Juvenile Outpatient Treatment	\$26,892.00	\$21,551.00	\$18,318.00
Family Enhancement of Community Living Opportunities	Family Enhancement	\$36,968.00	\$90,259.00	\$31,422.00
Lawrence Alliance	Douglas County Youth Court	\$0.00	\$15,606.00	\$0.00
VORP	Juvenile Offender VORP	\$0.00	\$9,861.00	\$0.00
<b>Intervention Graduated Sanction Sub Total</b>		<b>\$136,419.00</b>	<b>\$268,099.00</b>	<b>\$106,044.00</b>

CORE SERVICES				
Douglas County Youth Services	Administrative Structure	\$38,901.00	\$27,176.00	\$27,176.00
Douglas County Youth Services	Case Management/CM Local Purchase of Service*	\$74,578.00	\$101,388.00	\$101,388.00
The Shelter, Inc.	JIAS**	\$137,827.00	\$166,522.00	\$166,522.00
Douglas County Youth Services	JISP	\$204,980.00	\$198,258.00	\$198,258.00
Core Services Sub Total		\$456,286.00	\$493,344.00	\$493,344.00
TOTAL		\$740,798.00	\$1,014,582.91	\$727,683.00
<p>*JJA Local Purchase of Service for transportation, clothing and electronic monitoring of youth in JJA custody was paid from a separate allocation prior to FY 2003, JJA expects those costs to be paid for through local IGS allocation from FY 2003 forward.</p> <p>**Juvenile Intake and Assessment was required to take the districts IGS cut in FY 2002. FY 2003 is budgeted at the same level as FY 2001.</p>				

Jones made a motion to approve the 7<sup>th</sup> Judicial District Juvenile Justice Authority 2003 Grant Awards as outlined above. Motion was seconded by Johnson and carried unanimously.

#### PLANNING 06-24-02

The Board considered Item No. 12 of the minutes of the Lawrence-Douglas County Metropolitan Planning Commission dated May 22, 2002. This item is CUP-03-04-02: a Conditional Use Permit request for a machinery storage building on 2.0 acres generally located at the southeast corner of N 800 Road and E 1500 Road (County Route 1055). Requested by Landplan Engineering for John N. and Karon L. Stevens, property owners of record. Brian Pedrotti, staff member of the Lawrence-Douglas County Metropolitan Planning Department, presented the item. This item comes to the Board with a unanimous recommendation for approval, based upon the following Findings of Fact:

**Zoning and uses of property nearby:** The area to the north is predominantly agricultural. The area surrounding the property is zoned for suburban residential uses and includes some rural residential uses.

**Character of the area:** The subject property is located three miles east of Highway 59 and five miles south of the City of Lawrence. The subject property is outside of any unincorporated city's growth area and is predominantly an agricultural neighborhood including some scattered rural residential homes.

**Suitability of subject property for the uses to which it has been restricted:** A Conditional Use Permit (CUP) does not change the base, underlying zoning. The suitability of the property for agricultural or rural residential use will not be altered. The subject property is not located within an Urban Growth Area. The subject property area is zoned for agricultural uses.

**Length of time subject property has remained vacant as zoned:** The subject property is developed with an existing storage building for machinery equipment. The structure was constructed as an agricultural building, therefore no building permit was issued. It appears to have been built between 1996 and 2000 according to the County Appraiser's Office. The County Zoning Regulations were adopted in 1966, this property has been zoned "A" (Agricultural) since that time.

**Extent to which removal of restrictions will detrimentally affect nearby property:** Approval of the CUP will provide an opportunity for the applicant to be compliant with the minimum zoning regulations and standards. As a Conditional Use Permit, the issues of screening and buffering to reduce undesirable impacts such as noise and view on residential properties to the west can and should be provided.

**Relative gain to the public health, safety and welfare by the destruction of the value of the petitioner's property as compared to the hardship imposed upon the individual landowners:** There is no identified relative gain or detriment to the public's health, safety and welfare by permitting development of this use as a Conditional Use Permit. The underlying "A" (Agricultural) zoning remains unchanged.

**Conformance with the Comprehensive Plan:** The Comprehensive Plan supports the retention of industrial uses and limited expansion of existing industrial districts outside of an urban area. A Conditional Use Permit can be used to allow limited commercial and industrial expansion or establish new or temporary areas for certain non-residential uses. This tool allows proportional development in harmony with the surrounding area. As recommended by *Horizon 2020*, the proposed request is, in the short term, consistent with the Comprehensive Plan. As a more detailed study of industrial locations is completed for the unincorporated area, the longevity of the appropriateness may be affected.

AND subject to the following conditions:

1. Provision of a note on the face of the site plan stating "The Conditional Use Permit approval be for 5 years. After additional review at the end of 5 years, the potential for extension up to an additional 5 years by the Board of County Commissioners is possible if surrounding land uses have remained substantially the same and the use is still found to be compatible."

2. The number of total employees shall not exceed 4 on-site employees unless otherwise amended by the County Commission. The addition of employees in excess of 4 shall require the approval of a revised CUP by the County Commission following a public hearing to be held by the Planning Commission.
3. Provision of a note on the face of the site plan that states: "The approved use for this site is truck storage facility for vehicles and equipment for the applicant. Repair, and/or servicing stored vehicles and equipment, other than those necessary for standard maintenance and upkeep, is expressly prohibited."
4. Provision of a note on the face of the site plan that states: "any exterior storage of material shall be located completely screen per Section 19-4(24) of the County Zoning Regulations."
5. Provision of a note on the face of the site plan that states: "The addition of exterior storage of materials shall first require that the subject property shall be platted in accordance with the adopted Subdivision Regulations as applicable."
6. Provision of a note regarding existing landscape per Douglas County Zoning Regulations 19A-4.10.
7. Provision of a note to state: "Outdoor lighting is not proposed other than Pack lights over existing doorways."
8. Provision of a note on the face of the site plan that states: "A final plat shall be recorded with the Douglas County Register of Deeds prior to any additional building or intensification of the use of the property."
9. Provision of a note on the face of the site plan that states: "Conditional Use shall be limited to storage and no office/retail sales operation may be located on the premises."

A motion was made by Jones to approve CUP-03-04-02. Johnson seconded and the motion carried unanimously.

#### **PARKS — WELLS 06-24-02**

McElhaney reported that work has begun on the Wells Overlook project.

#### **PARKING 06-24-02**

The Board discussed parking options for the Courthouse and Judicial and Law Enforcement Center. No action was taken.

#### **EMERGENCY COMMUNICATIONS & PURCHASING 06-24-02**

The Board discussed the emergency replacement of 911 equipment. Jim Denney, Director of Emergency Communications, was present for the discussion. Denney reported that the 911 ALI controller, which is the brain which provides all 911 and other telephone line services other than voice to dispatch, is not functioning properly. The problems are due to hardware failure in the controller itself.

This controller was purchased in 1998 and has suffered through the dust related to the remodeling of the Judicial & Law Enforcement Center. The cost to replace the 911 ALI controller is \$31,000. This purchase can be paid from the 911 Fee Fund and sufficient funds are available. Johnson made a motion to approve the emergency purchase of the 911 ALI controller from 911 Inc. Jones seconded and the motion carried unanimously.

**ACCOUNTS PAYABLE 06-24-02**

Jones moved approval of accounts payable in the amount of \$329,397.79 to be paid 6/17/02 and \$298,505.22 to be paid 6/24/02; payroll in the amount of \$564,150.68; and electronic funds transfers in the amounts of \$41,634.75 for FICA and \$34,302.70 for KPERs, to be paid 6/14/02. Johnson seconded and the motion carried unanimously.

**APPOINTMENTS 06-24-02**

Jones made a motion to appoint Shannon Oury, 1042 N 1138 Road, Lawrence, KS to the Lawrence-Douglas County Housing Authority Board of Commissioners for a four-year term beginning July 1, 2002. Johnson seconded and the motion carried unanimously.

McElhaney made a motion for adjournment; Jones seconded, and the motion carried unanimously.

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Jere McElhaney, Chairman

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Bob Johnson, Member

ATTEST:

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Patty Jaimes, County Clerk

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Charles Jones, Member

## **JUNE 26, 2002**

Chairman McElhaney called the meeting to order at 6:42 P.M. on Wednesday, June 26, 2002. All members were present. The Pledge of Allegiance was recited.

Jones made a motion to approve the minutes of January 7, January 14, January 16, January 23, and January 28, 2002. Johnson seconded and the motion carried unanimously.

### **CONSENT AGENDA 06-26-02**

Jones made a motion to approve the following Consent Agenda:

- ▶ Approve Commissioners Order Nos. 5034 and 5035. Orders are on file in the office of the County Clerk.
- ▶ Approve Resolution No. 02-13 establishing a policy regarding the mutual disaster aid to other local units of government within or outside of the State of Kansas.

Motion was seconded by Johnson and carried unanimously.

### **PLANNING, PUBLIC WORKS & RESOLUTIONS 06-26-02**

The Board noted receipt of the Planning Commission's recommendation concerning rescinding the "minimum maintenance" designation for a portion of N 175 Road as requested by the Board of County Commissioners on April 3, 2002. Michael Kelly, County Surveyor, was present for the discussion. At their meeting on May 22, 2002, the Planning Commission voted unanimously to approve the request to rescind the "minimum maintenance" road designation for a portion of N 175 Road (1000 feet) between E 2050 and E 2000 Roads in Palmyra Township and forward it to the County Commission.

The Board then conducted a public hearing concerning rescinding the minimum maintenance designation. A.J. Barrett made a brief presentation. Chairman McElhaney made a motion to close the public hearing. Motion was seconded by Johnson and carried unanimously.

Johnson made a motion to approve Resolution No. 02-14 rescinding the declaration of "minimum maintenance" for a portion of N 175 Road. Motion was seconded by McElhaney and carried unanimously.

### **ACCOUNTS PAYABLE 06-26-02**

McElhaney made a motion to authorize accounts payable manual checks in the amount of \$2,037.34 and payroll in the amount of \$564,150.68. Johnson seconded and the motion carried unanimously.



**MISCELLANEOUS 06-26-02**

Ken Phipps made comments regarding the alignment of Highway 59.

McElhaney made a motion for adjournment; Johnson seconded, and the motion carried unanimously.

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Jere McElhaney, Chairman

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Bob Johnson, Member

ATTEST:

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Patty Jaimes, County Clerk

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Charles Jones, Member

**JULY 1, 2002**

Chairman McElhaney called the meeting to order at 8:32 A.M. on Monday, July 1, 2002. All members were present. The Pledge of Allegiance was recited.

**BUDGET 07-01-02**

The Board conducted budget hearings. No action was taken.

**ACCOUNTS PAYABLE 07-01-02**

Jones moved approval of accounts payable in the amount of 161,106.86 to be paid 7/1/02 and accounts payable manual checks in the amount of \$2,037.34. Johnson seconded and the motion carried unanimously.

McElhaney made a motion for adjournment; Jones seconded, and the motion carried unanimously.

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Jere McElhaney, Chairman

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Bob Johnson, Member

ATTEST:

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Patty Jaimes, County Clerk

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Charles Jones, Member

**JULY 2, 2002**

Chairman McElhaney called the meeting to order at 8:34 A.M. on Tuesday, July 2, 2002. All members were present. The Pledge of Allegiance was recited.

**BUDGET 07-01-02**

The Board conducted budget hearings. No action was taken.

McElhaney made a motion for adjournment; Jones seconded, and the motion carried unanimously.

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Jere McElhaney, Chairman

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Bob Johnson, Member

ATTEST:

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Patty Jaimes, County Clerk

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Charles Jones, Member

## **JULY 3, 2002**

Chairman McElhaney called the meeting to order at 6:40 P.M. on Wednesday, July 3, 2002. All members were present. The Pledge of Allegiance was recited.

Jones made a motion to approve the minutes of February 6, February 11, February 13, and February 18, 2002. Motion was seconded by Johnson and carried unanimously.

### **CONSENT 07-03-02**

Jones made a motion to approve the following Consent Agenda:

- ▶ Approve Commissioners Order No. 5036. Order is on file in the office of the County Clerk; and
- ▶ Note receipt of fee reports for the month of May.

Motion was seconded by Johnson and carried unanimously.

### **AGREEMENTS, TREASURER & ZONING 07-03-02**

The Board considered approval of an amendment to the Lease Agreement between Douglas County, Kansas, and Consolidated Properties of Lawrence, Inc. for the lease of property located at 2108 W. 27<sup>th</sup> Street, Suite I, which houses the satellite offices for the Treasurer and Zoning Department. This amendment gives the County the option to renew the lease for an additional three (3) years. Jones made a motion to approve the Amendment to Lease Agreement, seconded by Johnson and carried 2-1 with McElhaney voting nay.

### **PLANNING 07-03-02**

The Board considered SP-05-32-02 to allow the development of a concrete products warehouse/office on the east side of Highway 24/59, approximately 600' north of Highway 24/40. Submitted by Paul Werner Architects, L.L.C. for Capitol Concrete, property owner of record. Brian Pedrotti, staff member of the Lawrence-Douglas County Metropolitan Planning Department, was present for the discussion. The applicant proposes to develop a concrete products warehouse/office on the east side of Highway 24/59, approximately 600' north of Highway 24/40. The subject property is Lot 1 of Maple Grove North #3, a county plat located between two pieces of incorporated (City of Lawrence) land. The property is located within a I-2 (Light Industrial) District, which allows warehousing, office, and storage as permitted uses. The proposed site plan meets the requirements of the I-2 zoning district.

Access to the site will be from an improved driveway off of Highway 24/59 and will be a 70'-wide shared driveway for the five lots within the Maple Grove Addition. The entrance location must be approved by the Kansas Department of

Transportation (KDOT), and the applicant will need to obtain a KDOT permit for the construction of the driveway.

The applicant has indicated that the owner will provide a septic system with the proposed site plan. A septic system construction permit must be approved by the Douglas County Health Department prior to the release of the site plan for building permits, and the location of the septic field must be shown on the site plan. No portion of the septic field and driveway or parking surface may overlap.

Another option for the property owner is to connect to City of Lawrence sewer service. If the owner wishes to choose this option, annexation and rezoning of the property to a suitable City zoning district will be required.

The applicant has provided a good screening mix of trees and shrubs along the highway 24/59 frontage. Staff has requested an additional 6' high wood fence along the north property boundary to provide a screening buffer between the storage area and the residence to the north. This item is a condition of approval.

Planning Staff recommends approval of the Site Plan subject to the following conditions:

1. Approval of a septic system construction permit prior to the release of the site plan for building permits. Any approved septic fields shall be shown on the site plan and may not encroach on driveway or parking areas. If the owner connects to city sewer, annexation and rezoning will be required.
2. Approval of a KDOT highway permit for the proposed entrance to US 24/599.
3. Provide a 6' high solid wood screening fence along the north side of the storage area.
4. Show the type and extent of surfacing to be applied on the site plan.

Jones made a motion to approve the site plan subject to the above conditions, amending Condition 3 as follows:

3. Provide an 8' high chain-link fence with vinyl screening slats along the north side of the storage area.

Johnson seconded and the motion carried unanimously.

#### **ACCOUNTS PAYABLE 07-03-02**

Johnson moved approval of accounts payable in the amount of \$129,000.16; payroll in the amount of \$576,431.98; and electronic funds transfers in the

amount of \$42,595.46 for FICA and \$33,960.28 for KPERS. Motion was seconded by McElhaney and carried unanimously.

**MISCELLANEOUS 07-03-02**

The Board discussed a request received from Headquarters, Inc. for assistance in moving expenses. Johnson made a motion to approve the expenditure of \$2,599 for non-recurring expenses for Headquarters, Inc. Jones seconded and the motion carried unanimously.

McElhaney made a motion for adjournment; Johnson seconded, and the motion carried unanimously.

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Jere McElhaney, Chairman

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Bob Johnson, Member

ATTEST:

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Patty Jaimes, County Clerk

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Charles Jones, Member

**JULY 8, 2002**

Chairman McElhaney called the meeting to order at 8:31 A.M. on Monday, July 8, 2002. All members were present. The Pledge of Allegiance was recited.

**BUDGET 07-08-02**

The Board conducted budget hearings. No action was taken.

McElhaney made a motion for adjournment; Johnson seconded, and the motion carried unanimously.

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Jere McElhaney, Chairman

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Bob Johnson, Member

ATTEST:

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Patty Jaimes, County Clerk

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Charles Jones, Member

(2)

**PUBLIC HEARING ITEM:**

**ITEM NO. 12:      TEXT AMENDMENT TO SECTION 21-104(a), CITY/COUNTY  
SUBDIVISION REGULATION (BPD)**

**TA-05-02A-02:** Text Amendment to Section 21-104(a) of the Joint City/County Subdivision Regulations to require subdivision plats within the City of Lawrence to include all contiguous land under the same ownership. Originally initiated by the Planning Commission 5/29/02 and revised on 9/25/02 to apply to only incorporated lands. *This item was deferred from the September Planning Commission Meeting.*

**PROPOSED TEXT AMENDMENTS**

Proposed additions to the regulations are in bold.

**21-104.      APPLICABILITY.**

(a) **For property in the unincorporated area of Douglas County,** after the effective date of these regulations, any owner (or owners) subdividing land or establishing any alley, street, or other property intended for public use or for the use of purchasers or owners of lots, tracts, or parcels of land fronting on or adjacent thereto, shall cause a subdivision plat to be made in accordance with these regulations unless exempted under Section 21-105 of this article. The Register of Deeds of Douglas County shall not record any plat of a subdivision until such plat bears the endorsement of the Planning Commission.

(b) **For property within the incorporated city limits of Lawrence, subdividing land for development that requires a building permit or for the establishment of any public street, alley, or easement, after [insert jt. Ord/Res. Number and publication date], shall be cause for the platting of all contiguously owned lands of the subdivider that are not platted or were platted but are now in ownership patterns that are not congruent with the existing platted lot lines. This provision shall apply to all property divisions that are not exemption from the subdivision regulations, regardless of their current state of development or lack of development. Plats submitted for review shall cover all contiguously owned lands that are under the subdivider's ownership at the time of plat submittal to the Lawrence/Douglas County Planning Office for review and recommendation. The Register of Deeds of Douglas County shall not record any plat of a subdivision until such plat bears the endorsement of the Planning Commission.**

(c) Article 12 of these regulations shall apply to any new building located within the plat approval jurisdiction of the City of Lawrence or Douglas County, Kansas. (Ord. 6146)

**STAFF REVIEW**

The proposed amendment to Section 21-104 of the joint City-County Subdivision Regulations addresses how much land a property owner in the City of Lawrence is required to plat. The



proposed amendment requires a property owner to plat their entire parcel of land instead of simply platting small pieces of the property over an extended period of time.

Only property within the incorporated City Limits will be affected by the proposed amendment.

### **Analysis**

This amendment promotes good planning practices by allowing the City to take a long-range look at the needs of the community in relation to large parcels of property. By requiring property owners to plat their entire parcel of land, the City will be able to obtain the additional rights-of-way and easements required to plan for and expand services to accommodate the growth of the community.

Property owners wishing to develop a portion of their larger parcel will still be able to do so by simply final platting one or two smaller lots and placing the larger portion of their property into a "tract" of land. By doing this the City will obtain the necessary rights-of-way and easements for infrastructure improvements and the land owner will retain the ability to reserve development of the larger property while obtaining permission to develop smaller sections of their property. When the property owner is ready to develop the remainder of the larger portions of property, that portion platted as a "tract" of land, the property owner will be required to replat the tract into a buildable lot(s).

This amendment to the Subdivision Regulations is necessary to ensure that developing areas have been planned for public infrastructure and services necessary to support the ultimate/future growth and development of the area they are located in. Monterey Way north of Stetson Drive is a good example of where lack of a requirement to plat an entire contiguous parcel can hinder good planning and provision of services to an area. The east side of Monterey Way, though preliminarily platted, has not been final platted meaning additional road right-of-way dedication has not occurred. Development on the west side of the road significantly increases traffic on that road and therefore was required to improve the road to city standards. Without full right-of-way dedication [both sides of road], fulfilling this City requirement has delayed development of the west side of Monterey Way for nearly two years and required the city to intercede to move beyond stalemate.

Having to plat contiguous parcels or an entire tract of land under the same ownership could place a greater burden on individual property owners who are not interested in developing all of what they own at one time. However, the benefits of this approach from a City planning perspective may outweigh the increased burden to individual property owners by providing for more efficient planning and timely installations of improvements. Platting of the entire property allows the necessary infrastructure to be put in place to facilitate the continued growth of the community in an orderly fashion. The planning and platting of larger tracts of land under the same ownership would be beneficial to the long range planning for street, sewer and water line extensions as well as parks and municipal services, particularly schools and fire stations.

Currently, a number of land transfers are occurring that are in violation of the Subdivision Regulations (Sect. 21-104). This proposed amendment may increase the number of non-conforming land transfers by causing property owners to transfer ownership of large contiguous

tracts to individual family members or business partners, to avoid compliance with the proposed amendment.

However, the benefits of the proposed text amendment outweigh the possible negative outcomes that may occur if this text amendment is adopted.

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**PROFESSIONAL STAFF RECOMMENDATION**

Staff recommends forwarding a recommendation for approval of the proposed text amendment to County Commission and the City Commission.

**ITEM NO. 12:        **TEXT AMENDMENT TO SECTION 21-104(a), CITY/COUNTY  
SUBDIVISION REGULATIONS (BPD)****

**TA-05-02A-02:** Text Amendment to Section 21-104(a) of the Joint City/County Subdivision Regulations to require subdivision plats within the City of Lawrence to include all contiguous land under the same ownership. Initiated by the Planning Commission 5/29/02. *This item was deferred from the September Planning Commission Meeting. The item was discussed at the October 30, 2002 session of the meeting.*

**STAFF PRESENTATION**

Mr. Dyer explained the information presented tonight reflected a separation of county and city properties, as requested by the Commission at the September 2002 meeting. No comment had been received from affected property owners.

The Commission discussed the possibility that a single owner may control city property located adjacent to county property. Mr. Dyer noted this would be a rare circumstance, since Staff strongly urged property owners to annex their entire property at once. Wording of the revised Text Amendment allowed for this eventuality.

It was noted that it was a violation, except under the allowable exemptions, to sell small pieces of land to other individuals (presumably to circumvent these restrictions).

The primary consequence to the affected property owners was that the cost of surveying their property would be incurred entirely upfront, rather than spread out as smaller pieces were developed. It was questioned whether this would unfairly impact those who owned large sections of land, with the example given of Mr. Bob Billings. Comm. Durlinger stated that Mr. Billings controlled a lot of land, but he did not technically own all of it and would therefore be less affected by the proposed Text Amendment than originally supposed.

Comm. Bateman said she was beginning to question if this was the best way to deal with the issue.

It was clarified that the County Commission would be reviewing the revised Text Amendment, even though it did not involve county properties, because the Amendment would be included in the joint regulations.

**PUBLIC HEARING**

No member of the public spoke on this Item.

**ACTION TAKEN**

Motioned by Comm. Schachter and seconded to approve the Text Amendment to the Subdivision Regulations for the requirement of subdivision plats within the City of Lawrence to include all contiguous land under the same ownership and forward it to the City and County Commissions with a recommendation for approval.

Motion carried unanimously, 9-0.

# Douglas County

MEMO TO: The Board of County Commissioners  
 Craig Weinaug, County Administrator

FROM: Jackie Waggoner, Purchasing Agent *JW*  
 Division of Purchasing

SUBJECT: Consider Recommendation to Purchase Tractor & Mower

DATE: November 20, 2002

As part of an equipment depreciation schedule Maintenance replaces mowing equipment every two years. Our bid considered the purchase of one (1) John Deere 4410 tractor mower, and trade-in of one (1) 2000 John Deere 4400 tractor mower. The table below summarizes the two bids received:

	DEEMS FARM EQUIPMENT, INC.	HERITAGE TRACTOR INC.
Unit Cost	\$18,810	\$17,500
Trade-In Allowance	\$13,510	\$11,000
<b>NET COST</b>	<b>\$ 5,300</b>	<b>\$ 6,500</b>
Warranty	730 Days	730 Days
Extended Warranty	36 months/2000 hours - \$485 w/ \$250 deductible or 48 months/2000 hours - \$606 w/ \$250 deductible	\$1,500 annually
Delivery (no. of days following award)	60 days	45 days
Response Time (number of hours to service)	1 hour	24 hours

Bill Bell has reviewed the bids and believes the cost falls within the anticipated cost for this expenditure. Due to the replacement schedule for this equipment Bill is not interested in purchasing the extended warranty. I will attend the commission meeting to answer any questions you may have..

**RECOMMENDATION:** The Board of County Commissioners accepts the bid (including trade-in) from Deems Farm Equipment in the amount of \$5,300.

# Douglas County

MEMO TO: The Board of County Commissioners  
 Craig Weinaug, County Administrator

FROM: Jackie Waggoner, Purchasing Agent *JW*  
 Division of Purchasing

SUBJECT: Consider Recommendation of Contract for a Storage Area Network

DATE: November 20, 2002

We have completed our negotiations with Tallgrass Technologies for the purchase of a storage area network. A summary of the proposals submitted is attached. Although Alexander Open System (AOS) appears to have provided the lowest cost, their proposal did not conform to our requirements or provide the most functional solution.

In addition to reducing their cost by \$1,000, Tallgrass Technologies has agreed to the following negotiated conditions:

- ▶ To price protect items (connectivity, storage, software, service agreement, and professional services) quoted in Appendix B (with the exception of the SANBuilder Bundle) for a period of one year following contract execution.
- ▶ The County would be eligible for a twenty percent (20%) discount should we elect to pre-pay 36 months of extended maintenance.

We believe Tallgrass Technologies has proposed a comprehensive solution that will serve the County's current needs, and provide a foundation for future growth. Funding for this expenditure has been allocated in both Information Technology's budget and Register of Deeds Technology Fund.

Jim Lawson and I will be available at the commission meeting (or before) to answer any questions you may have.

**RECOMMENDATION:** The Board of County Commissioners accepts the negotiated proposal of \$97,881 from Tallgrass Technologies.

### Courthouse

**FORSYTHE**

**DELL**

**STORNET**

**HITACHI**

**TALLGRASS**

**AOS**

**STORAGE AREA NETWORK**

Hardware	\$46,417.64	\$47,260.00	\$82,293.00	\$103,060.00	\$69,331.00	\$166,802.00
Software	\$3,274.00	\$9,000.00	\$44,566.00	\$24,125.00	\$33,015.00	included
Installation	\$8,000.00	\$8,750.00	included	\$11,400.00	\$43,765.00	\$21,000.00
Extended support and warranty	\$5,862.00	\$12,204.00	\$10,603.00	\$11,628.00	\$8,578.00	included
Training	\$0.00	\$1,750.00	included	\$6,570.00	\$20,470.00	included
	<b>\$63,553.64</b>	<b>\$78,964.00</b>	<b>\$137,462.00</b>	<b>\$156,783.00</b>	<b>\$175,159.00</b>	<b>\$187,802.00</b>

**TAPE BACKUP SYSTEM**

Hardware	\$18,313.00	\$15,247.00	\$20,028.00	\$12,270.00	\$16,840.00	\$20,249.20
Software	\$1,139.85	\$1,445.00	\$0.00	\$3,038.00	\$10,735.00	\$9,802.90
Installation	\$3,200.00	\$1,200.00	included	\$0.00	\$0.00	\$5,352.00
Extended support	\$22,652.85	\$2,025.00	\$1,805.00	\$15,308.00	\$4,612.00	\$35,404.10
	*	\$18,917.00	\$21,833.00	\$15,308.00	\$32,187.00	

**TOTALS**

	\$86,206.49	\$98,881.00	\$159,295.00	\$172,091.00	\$207,346.00	\$223,206.10
		* \$97,881.00				

**Complies to Specifications**

Does not meet requested specifications	Yes	Yes	Yes	Yes	Yes	Yes
--	-----	-----	-----	-----	-----	-----

**Support Notes**

24/7 4 hour	24/7 4 hour	24/7 4 hour	24/7 next day	24/7 4 hour	24/7 4 hour	unknown
HD not included						

\* Negotiated Cost

**EXCERPT OF MINUTES OF A MEETING  
OF THE GOVERNING BODY OF  
DOUGLAS COUNTY, KANSAS  
HELD ON NOVEMBER 25, 2002**

The governing body met in regular session at the usual meeting place in the County, at 9:00 a.m., the following members being present and participating, to-wit:

Absent:

The Chairman declared that a quorum was present and called the meeting to order.

\*\*\*\*\*

(Other Proceedings)

Thereupon, there was presented a Resolution entitled:

**A RESOLUTION AUTHORIZING AND APPROVING THE EXTENSION OF MATURITY OF \$400,000 PRINCIPAL AMOUNT OF TEMPORARY NOTES, SERIES 2002-1, OF DOUGLAS COUNTY, KANSAS; AND MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH.**

Thereupon, Commissioner \_\_\_\_\_ moved that said Resolution be adopted. The motion was seconded by Commissioner \_\_\_\_\_. Said Resolution was duly read and considered, and upon being put, the motion for the adoption of said Resolution was carried by the vote of the governing body, the vote being as follows:

Aye: \_\_\_\_\_.

Nay: \_\_\_\_\_.

Thereupon, the Chairman declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 02-\_\_\_ and was signed by the Board of County Commissioners and attested by the Clerk.

\*\*\*\*\*

(Other Proceedings)

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On motion duly made, seconded and carried, the meeting thereupon adjourned.

**CERTIFICATE**

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of Douglas County, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

---

Clerk



RESOLUTION NO. 02-\_\_

**A RESOLUTION AUTHORIZING AND APPROVING THE EXTENSION OF MATURITY OF \$400,000 PRINCIPAL AMOUNT OF TEMPORARY NOTES, SERIES 2002-1, OF DOUGLAS COUNTY, KANSAS; AND MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH.**

**WHEREAS**, Douglas County, Kansas (the "Issuer" or the "County") is a political subdivision, duly created, organized and existing under the Constitution and laws of the State; and

**WHEREAS**, the Issuer is authorized pursuant to K.S.A. 19-27a01 *et seq.*, to incur indebtedness and to issue and sell general obligation bonds of the Issuer to evidence such indebtedness for the purpose of financing the installation of a sanitary sewer in an area known as "Baldwin Creek Sewer District No. 1" (the "Improvements") heretofore authorized pursuant to Resolution No. 99-4 of the Issuer; and

**WHEREAS**, the Issuer has heretofore issued \$400,000 principal amount of Temporary Notes, Series 2002-1, dated February 1, 2002 (the "Series 2002-1 Notes") pursuant to Resolution No. 02-03 (the "Note Resolution"), which remains outstanding; and

**WHEREAS**, permanent financing for the Improvements will not be completed prior to the maturity date of the Notes and it is necessary for the Issuer to provide for the extension of maturity of the Notes; and

**WHEREAS**, the Note Resolution provides that the same may be amended from time to time, by subsequent resolution of the Issuer, provided the purchaser of the Notes (the "Purchaser") consents to such amendments; and

**WHEREAS**, the governing body of the Issuer hereby finds and determines that it is necessary for the Issuer to extend the maturity of the Notes; and

**WHEREAS**, the Purchaser has consented to such extension as evidenced by *Exhibit A* attached hereto.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF DOUGLAS COUNTY, KANSAS, AS FOLLOWS:**

**Section 1. Authorization of Extension of Maturity.** The Stated Maturity of the Notes (November 1, 2002) shall be extended to May 1, 2003.

**Section 2. Ratification.** The rest and remainder of Resolution No. 02-03 that authorized the Notes is hereby ratified and confirmed.

**Section 3. Further Authority.** The officers and officials of the Issuer, including the Chairman and Clerk, are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Resolution and to

make ministerial alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

**Section 4. Governing Law.** This Resolution shall be governed exclusively by and construed in accordance with the applicable laws of the State.

**Section 5. Effective Date.** This Resolution shall take effect and be in full force from and after its passage by the governing body of the Issuer.

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ADOPTED by the governing body of the Issuer on August 8, 2001.

(SEAL)

\_\_\_\_\_  
Bob Johnson, Chairman

\_\_\_\_\_  
Jere McElhaney, Commissioner

\_\_\_\_\_  
Charles Jones, Commissioner

ATTEST:

\_\_\_\_\_  
Patty Jaimes, Clerk

**CERTIFICATE**

I hereby certify that the above and foregoing is a true and correct copy of the Resolution adopted by the governing body on November 25, 2002 as the same appears of record in my office.

DATED: November 25, 2002.

\_\_\_\_\_  
Clerk

**Pat Wells**  
**Douglas County Treasurer**  
DOUGLAS COUNTY COURTHOUSE  
1100 Massachusetts  
P.O. Box 884  
Lawrence, Kansas 66044-0884

Motor Vehicle: 785-832-5273  
Real Estate Taxes: 785-832-5178

MEMO TO: Douglas County Commissioners

FROM: Pat Wells  
Douglas County Treasurer

DATE: October 31, 2002

RE: Douglas County Investment Policy

On November 12, 2001, the Douglas County Board of County Commissioners expressed their interest in the creation and adoption of a policy regarding deposit and investment of public funds. They created an Investment Advisory Committee with the charge of developing such a policy and to provide support to the Investment Officer with respect to investment decisions. The committee members are: Pat Wells, County Treasurer; Pam Madl, Director of Administrative Services; Tom Singleton, County Auditor, and LaVerne Epp.

The committee met over several months discussing policy and procedures for investments, and developed the attached policy for consideration by the Commission. The committee members will be present at the meeting to answer any questions you may have about this policy.

Attachments

- Investment Policy
- Kansas Statutes
- Pledge Securities and Deposit Monthly Reports

**DOUGLAS COUNTY**  
**INVESTMENT POLICY**  
November 4, 2002

**SCOPE**

This investment policy applies to activities of Douglas County with regard to investing the financial assets of all funds. These funds are accounted for in the County's annual financial report.

**OBJECTIVES**

Funds of Douglas County will be invested in accordance with Kansas Statutes Annotated. The county's investment portfolio shall be managed in a manner to attain a market rate of return throughout budgetary and economic cycles with preserving and protecting capital in the overall portfolio. Investments shall be made based on statutory constraints and subject to available designated staffing capabilities. The first objective and priority of the investments is the safety of the investment. The second is the liquidity and availability of the investments at the appropriate time. And the third and final objective is the yield on the investment, which will never take the precedence over the safety.

**SAFETY**

Safety of principle is the foremost objective of Douglas County. Each investment transaction shall seek to first ensure that capital losses are voided, whether they be from securities defaults or erosion of market value.

**LIQUIDITY AND MATURITY**

The cash position of Douglas County has peaks and valleys during the year which require that a portion of the investment portfolio emphasizes liquidity. Securities will be purchased with maturities to coincide with the anticipated cash flows of the county with the intent to hold until maturity. Only in very extreme emergencies will they be cashed in prior to maturity. It is a policy of Douglas County to consider liquidity as a priority while still recognizing the need to maximize yield. The maturity of the investments will be managed to coincide with the cash flow needs with the intent to hold all investments to maturity.

**YIELD**

The investment portfolio of Douglas County shall be designated to attain a market average rate of return through budgetary and economic cycles, taking into account Douglas County's investment risk constraints, cash flow characteristics of the portfolio and prudent investment principles.

## DELEGATION OF AUTHORITY

The County Treasurer is designated as investment officer of Douglas County. In consultation with the County Investment Advisory Committee, the County Treasurer is responsible for investment decisions and activities. The County Treasurer shall develop and maintain written administrative procedures for the operation of the investment program, consistent with these policies. In order to optimize total return through an active portfolio management program, resources shall be allocated to the cash management program and this commitment of resources shall include financial considerations. All activities of the County Investment Officer and the Investment Advisory Committee shall be subject to the oversight and control of the Board of County Commissioners.

## PRUDENCE AND ETHICS

The standard of prudence to be applied by the investment officer shall be the "prudent investor" rule. This rule states "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived and optimum liquidity required for operations of their county government." The prudent investor rule shall be applied in the context of managing the overall portfolio. The investment officer, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specified security's credit risk or market price changes, provided that these deviations are reported immediately and the appropriate action is taken to control adverse developments.

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the County Treasurer and Board of County Commissioners any material personal financial/investment positions that could be related to the performance of the county's portfolio.

## AUTHORIZED INVESTMENTS

The only authorized investments will be those set forth in the Kansas Statutes Annotated. No public deposit shall be made except in a qualified public depository as established by state laws.

## **PORTFOLIO COMPOSITION**

Douglas County will set no constraints on the composition of the types of investments, as long as the ultimate goal of safety is met. The liquidity and rate of return will be secondary to the safety.

Douglas County is empowered by statute and may take the option to place public funds in the following types of deposits in accordance with K.S.A. 12-1675:

- A. Certificates of Deposit
- B. NOW Accounts and Pass Book Savings Accounts
- C. Money Market Accounts

Douglas County is empowered by statute and may take the option to place public funds in the following types of investments:

- A. U.S. Treasury Instruments
- B. Kansas Municipal Investment Pool
- C. Bank Trust Departments with Commercial Banks
- D. Direct obligations of, or obligations that are insured as to principal and interest by the United States or any agency thereof.
- E. Obligations and securities of U.S. sponsored enterprises which, under federal law, may be accepted as security for public funds.
- F. Repurchase Agreements

## **RISK AND DIVERSIFICATION**

Douglas County recognized that investment risks can result from issuer defaults or market price changes. Portfolio diversification is employed as a way to control risk. Investment managers are expected to display prudence in the selection of securities, as a way to minimize default risk. No individual investment transaction shall be undertaken which jeopardizes the total capital position of the overall portfolio. In the event of default by a specific issuer, the investment manager shall review, and if appropriate, proceed to liquidate securities having comparable risks. To control market price risks, volatile investment instruments shall be voided, unless specifically approved by the Board of County Commissioners.

## **INTERNAL CONTROLS**

The County Treasurer shall establish a system of internal control, which shall be reviewed by the independent auditor. The internal controls shall be designed to avoid losses of public funds arising from fraud, employee error, third party misrepresentation, unanticipated changes in financial markets, or imprudent actions by employees and officers of Douglas County.

## **RELATIONSHIP WITH BANKS**

Banks and savings and loan associations seeking to establish eligibility for Douglas County shall submit information as requested. No business will be conducted with any financial institution with whom or through whom public entities have sustained losses on investments. Only those financial institutions meeting the qualifications as set forth in the Kansas Statutes Annotated will be eligible upon approval of Douglas County Commissioners.

## **SAFEKEEPING AND CUSTODY**

Douglas County's goal is to achieve a risk category 1 rating for all investments as defined by Governmental Accounting Standards Board (GASB). This means that all securities owned by Douglas County must be in the name of Douglas County and held by the County or its authorized safekeeping agent.

To protect against potential fraud and embezzlement, the assets of Douglas County shall be secured through third-party custody and safekeeping procedures by an institution designed as primary agent. The primary agent shall issue a safekeeping receipt to the county listing the specific instrument, rate of return, maturity and other pertinent information. Deposit-type securities (i.e. Certificates of Deposit) shall be collateralized as required by Kansas law for any amount exceeding FDIC coverage. Other investments shall be collateralized by the actual security held in safekeeping by the primary agent.

Bearer instruments shall be held only through third party institutions. Investment officials shall be bonded to protect the public against possible embezzlement and malfeasance. Collateralized securities such as repurchase agreements shall be purchased using the delivery vs. payment procedure. Unless prevailing practices or economic circumstances dictate otherwise, ownership shall be protected through third party custodial safekeeping. Safekeeping procedures shall be reviewed by the independent auditor.

## **MASTER REPURCHASE AGREEMENTS**

Douglas County requires that Master Repurchase Agreements be signed by both parties and in place before entering into a repurchase agreement with any financial institutions.

## **QUALIFIED INSTITUTIONS**

Qualified institutions shall include all financial institutions within the county approved by the Board of County Commissioners in their annual designation of the official depositories. Financial institutions shall provide their most recent financial statement upon request by the county. The county will periodically conduct an evaluation of each bank status to determine whether it should continue to be included on the list of "Official Depositories".



## **BID REQUIREMENTS**

Every three years, or Kansas Statutes change, or as the County Treasurer deems necessary, the County of Douglas will receive proposals from local financial institutions for the purpose of administering the County's checking accounts.

## **REPORTING**

The County Treasurer shall generate reports for management purposes. In addition, the County Commission will be provided quarterly reports which will include information on investments being held, as well as any narrative necessary for clarification.

## **PERFORMANCE EVALUATION AND OPERATIONS AUDIT**

Investment officials shall recognize that the investment portfolio is subject to public review and evaluation. The overall program shall be designed and managed with a degree of professionalism that is worthy of the public trust. Investment officials shall avoid any transaction that might impair public confidence in Douglas County's ability to govern effectively.

Pat Wells  
Douglas County Treasurer  
November 4, 2002

**BANKING AND INVESTMENT  
KANSAS STATUTES**

K.S.A. 9-1401	Designation of depositories
K.S.A. 9-1402	Securing the deposits of public funds
K.S.A. 9-1403	Securities for deposits of public funds
K.S.A. 9-1405	Deposit of securities, security entitlements and financial assets in Securities account; written custodial agreement
K.S.A. 9-1406	Exemption from liability for loss by official depository
K.S.A. 9-1407	Exemption of security for insured portion of public deposits
K.S.A. 10-131	Investment of proceeds of bonds or temporary notes and Certain funds authorized
K.S.A. 12-1675	Investment of public moneys by governmental subdivisions, units And subdivisions; use of income, records; quarterly report
K.S.A. 12-1676	Inapplicability of act to certain moneys; rates
K.S.A. 12-1677	Investment of public moneys by governmental entities, units And subdivisions; use of income, records, quarterly report
K.S.A. 19-532	Charging bank with money deposited and fiscal agent with money Transmitted and crediting treasurer with such accounts
K.S.A. 75-4201	State Departments: Public Officers and Employees Article 42.—State Moneys

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## 9-1401

### Chapter 9.--BANKS AND BANKING; TRUST COMPANIES Article 14.--BANKING CODE; DEPOSIT OF PUBLIC MONEYS

**9-1401. Designation of depositories for municipal and quasi-municipal funds; duty of public officers; eligible depositories.** (a) The governing body of any municipal corporation or quasi-municipal corporation shall designate by official action recorded upon its minutes the banks, savings and loan associations and savings banks which shall serve as depositories of its funds and the officer and official having the custody of such funds shall not deposit such funds other than at such designated banks, savings and loan associations and savings banks. The banks, savings and loan associations and savings banks which have main or branch offices in the county or counties in which all or part of such municipal corporation or quasi-municipal corporation is located shall be designated as such official depositories if the municipal or quasi-municipal corporation can obtain satisfactory security therefor. For purposes of this subsection, banks, savings and loan associations or savings banks organized under the laws of the United States or another state which do not have a main office in this state, may be designated as depositories of such municipal corporation's or quasi-municipal corporation's funds in accordance with this subsection, if such banks, savings and loan associations and savings banks have branch offices in the county or counties in which all or part of such municipal corporation or quasi-municipal corporation is located, except that such banks, savings and loan associations or savings banks shall not be eligible to receive deposits except in accordance with subsection (c).

(b) Every officer or person depositing public funds shall deposit all such public funds coming into such officer or person's possession in their name and official title as such officer. If the governing body of the municipal corporation or quasi-municipal corporation fails to designate an official depository or depositories, the officer thereof having custody of its funds shall deposit such funds with one or more banks, savings and loan associations or savings banks which have main or branch offices in the county or counties in which all or part of such municipal corporation or quasi-municipal corporation is located if satisfactory security can be obtained therefor and if not then elsewhere, but upon so doing shall serve notice in writing on the governing body showing the names and locations of such banks, savings and loan associations and savings banks where such funds are deposited, and upon so doing the officer having custody of such funds shall not be liable for the loss of any portion thereof except for official misconduct or for the misappropriation of such funds by such officer.

(c) If eligible banks, savings and loan associations or savings banks under subsections (a) or (b) cannot or will not provide an acceptable bid, which shall include services, for the depositing of public funds under this section, then banks, savings and loan associations or savings banks organized under the laws of the United States or another state which do not have a main office in this state, may receive deposits of such municipal corporation or quasi-municipal corporation, if such banks, savings and loan associations or savings banks have been designated as official depositories under subsection (a), have branch offices in the county or counties in which all or part of such municipal corporation or quasi-municipal corporation is located and the municipal corporation or

quasi-municipal corporation can obtain satisfactory security therefor.

**History:** L. 1947, ch. 102, § 63; L. 1957, ch. 74, § 2; L. 1967, ch. 447, § 30; L. 1972, ch. 35, § 1; L. 1982, ch. 52, § 1; L. 1983, ch. 47, § 2; L. 1986, ch. 76, § 1; L. 1989, ch. 48, § 41; L. 1997, ch. 180, § 3; May 29.

Kansas State Capitol - 10th and Jackson - Topeka, Kansas 66612

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## 9-1402

### Chapter 9.--BANKS AND BANKING; TRUST COMPANIES Article 14.--BANKING CODE; DEPOSIT OF PUBLIC MONEYS

**9-1402. Securing the deposits of public funds; acceptable items; items not acceptable; expenses.** (a) Before any deposit of public moneys or funds shall be made by any municipal corporation or quasi-municipal corporation of the state of Kansas with any bank, savings and loan association or savings bank, such municipal or quasi-municipal corporation shall obtain security for such deposit in one of the following manners prescribed by this section.

(b) Such bank, savings and loan association or savings bank may give to the municipal corporation or quasi-municipal corporation a personal bond in double the amount which may be on deposit at any given time.

(c) Such bank, savings and loan association or savings bank may give a corporate surety bond of some surety corporation authorized to do business in this state, which bond shall be in an amount equal to the public moneys or funds on deposit at any given time less the amount of such public moneys or funds which is insured by the federal deposit insurance corporation or its successor and such bond shall be conditioned that such deposit shall be paid promptly on the order of the municipal corporation or quasi-municipal corporation making such deposits.

(d) Such bank, savings and loan association or savings bank may deposit, maintain, pledge, assign, and grant a security interest in, or cause its agent, trustee, wholly-owned subsidiary or affiliate having identical ownership to deposit, maintain, pledge, assign, and grant a security interest in, for the benefit of the governing body of the municipal corporation or quasi-municipal corporation in the manner provided in this act, securities, security entitlements, financial assets and securities accounts owned by the depository institution directly or indirectly through its agent or trustee holding securities on its behalf, or owned by the depository institutions wholly-owned subsidiary or by such affiliate, the market value of which is equal to 100% of the total deposits at any given time, and such securities, security entitlements, financial assets and securities accounts, may be accepted or rejected by the governing body of the municipal corporation or quasi-municipal corporation and shall consist of the following and security entitlements thereto:

(1) Direct obligations of, or obligations that are insured as to principal and interest by, the United States of America or any agency thereof and obligations, including but not limited to letters of credit, and securities of United States sponsored corporations which under federal law may be accepted as security for public funds;

(2) bonds of any municipal corporation or quasi-municipal corporation of the state of Kansas which have been refunded in advance of their maturity and are fully secured as to payment of principal and interest thereon by deposit in trust, under escrow agreement with a bank, of direct obligations of, or obligations the principal of and the interest on which are unconditionally guaranteed

- (3) bonds of the state of Kansas;
- (4) general obligation bonds of any municipal corporation or quasi-municipal corporation of the state of Kansas;
- (5) revenue bonds of any municipal corporation or quasi-municipal corporation of the state of Kansas if approved by the state bank commissioner in the case of banks and by the savings and loan commissioner in the case of savings and loan associations or federally chartered savings banks;
- (6) temporary notes of any municipal corporation or quasi-municipal corporation of the state of Kansas which are general obligations of the municipal or quasi-municipal corporation issuing the same;
- (7) warrants of any municipal corporation or quasi-municipal corporation of the state of Kansas the issuance of which is authorized by the state board of tax appeals and which are payable from the proceeds of a mandatory tax levy;
- (8) bonds of either a Kansas not-for-profit corporation or of a local housing authority that are rated at least Aa by Moody's Investors Service or AA by Standard & Poor's Corp.;
- (9) bonds issued pursuant to K.S.A. 12-1740 *et seq.*, and amendments thereto, that are rated at least MIG-1 or Aa by Moody's Investors Service or AA by Standard & Poor's Corp.;
- (10) notes of a Kansas not-for-profit corporation that are issued to provide only the interim funds for a mortgage loan that is insured by the federal housing administration;
- (11) bonds issued pursuant to K.S.A. 74-8901 through 74-8916, and amendments thereto;
- (12) bonds issued pursuant to K.S.A. 68-2319 through 68-2330, and amendments thereto;
- (13) commercial paper that does not exceed 270 days to maturity and which has received one of the two highest commercial paper credit ratings by a nationally recognized investment rating firm; or
- (14) (A) negotiable promissory notes together with first lien mortgages on one to four family residential real estate located in Kansas securing payment of such notes when such notes or mortgages:
  - (i) Are underwritten by the federal national mortgage association, the federal home loan mortgage corporation, the federal housing administration or the veterans administration standards; or are valued pursuant to rules and regulations which shall be adopted by both the state bank commissioner and the savings and loan commissioner after having first being submitted to and approved by both the state banking board under K.S.A. 9-1713, and amendments thereto, and the savings and loan board. Such rules and regulations shall be published in only one place in the Kansas administrative regulations as directed by the state rules and regulations board;
  - (ii) have been in existence with the same borrower for at least two years and with no history of any installment being unpaid for 30 days or more; and
  - (iii) are valued at not to exceed 50% of the lesser of the following three values: Outstanding mortgage balance; current appraised value of the real estate; or discounted present value based upon current federal national mortgage association or government national mortgage association

interest rates quoted for conventional, federal housing administration or veterans administration mortgage loans.

(B) Securities under (A) shall be taken at their value for not more than 50% of the security required under the provisions of this section.

(C) Securities under (A) shall be withdrawn immediately from the collateral pool if any installment is unpaid for 30 days or more.

(D) A status report on all such loans shall be provided to the investing governmental entity by the financial institution on a quarterly basis.

(e) No such bank, savings and loan association or savings bank may deposit and maintain for the benefit of the governing body of a municipal or quasi-municipal corporation of the state of Kansas, any securities which consist of:

(1) Bonds secured by revenues of a utility which has been in operation for less than three years; or

(2) bonds issued under K.S.A. 12-1740 *et seq.*, and amendments thereto, unless such bonds have been refunded in advance of their maturity as provided in subsection (d) or such bonds are rated at least Aa by Moody's Investors Service or AA by Standard & Poor's Corp.

(f) Any expense incurred in connection with granting approval of revenue bonds shall be paid by the applicant for approval.

**History:** L. 1947, ch. 102, § 64; L. 1965, ch. 76, § 1; L. 1968, ch. 236, § 1; L. 1970, ch. 63, § 1; L. 1973, ch. 48, § 1; L. 1976, ch. 79, § 1; L. 1978, ch. 45, § 1; L. 1980, ch. 47, § 1; L. 1982, ch. 52, § 2; L. 1983, ch. 49, § 17; L. 1983, ch. 47, § 3; L. 1983, ch. 49, § 18; L. 1985, ch. 58, § 1; L. 1985, ch. 58, § 2; L. 1986, ch. 76, § 2; L. 1986, ch. 76, § 3; L. 1987, ch. 56, § 1; L. 1989, ch. 48, § 42; L. 1989, ch. 209, § 18; L. 1992, ch. 146, § 25; L. 1994, ch. 74, § 1; L. 1997, ch. 180, § 4; May 29.

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## 9-1403

### Chapter 9.--BANKS AND BANKING; TRUST COMPANIES Article 14.--BANKING CODE; DEPOSIT OF PUBLIC MONEYS

**9-1403. Securities for deposits of public funds; exemption during peak deposits.** (a) During the periods of peak deposits occurring at tax paying time and tax distributing time and continuing for a period of not to exceed 60 continuous days at any given time and not to exceed 120 days in any calendar year the amount of security for the deposit of public moneys as required under K.S.A. 9-1402, and amendments thereto, may be reduced by not more than 1/2 in an amount thereof.

(b) The provisions of this section shall apply only to the deposits of all municipal corporations and quasi-municipal corporations, but the custodian of the funds of each of such municipal corporations or quasi-municipal corporations together with an officer of the depository bank, savings and loan association or savings bank may enter into an agreement which designates in writing the beginning of each such sixty-day period, and a copy thereof, fully executed, shall be kept on file in the office of the governing body of such municipal corporation or quasi-municipal corporation and in the files of such bank, savings and loan association or savings bank.

**History:** L. 1947, ch. 102, § 65; L. 1982, ch. 52, § 3; L. 1983, ch. 47, § 4; L. 1986, ch. 76, § 4; L. 1989, ch. 48, § 43; L. 1997, ch. 180, § 5; May 29.

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## 9-1405

### Chapter 9.--BANKS AND BANKING; TRUST COMPANIES Article 14.--BANKING CODE; DEPOSIT OF PUBLIC MONEYS

**9-1405. Deposit of securities, security entitlements and financial assets in securities account; written custodial agreement; receipt.** (a) All bonds and securities given by any bank, savings and loan association or savings bank to secure public moneys of the United States or any board, commission or agency thereof, shall be deposited as required by the United States government or any of its designated agencies.

(b) All securities, security entitlements and financial assets securing the deposits of any municipal corporation or quasi-municipal corporation shall be deposited in a securities account with a bank incorporated under the laws of this state, or organized under the laws of the United States or another state and which has a main or branch office in this state, a trust company incorporated under the laws of this state or another state, the federal home loan bank of Topeka or with the state treasurer pursuant to a written custodial agreement and a receipt taken therefor with one copy going to the municipal corporation or quasi-municipal corporation making the public deposit and one copy going to the bank, savings and loan association or savings bank which has secured such public deposits. The receipt shall identify the securities, security entitlements and financial assets which are subject to a security interest to secure payment of the deposits of the municipal corporation or quasi-municipal corporation. This section shall not prohibit any custodial bank or trust company receiving securities, security entitlements and financial assets on deposit from issuing a receipt and depositing securities, security entitlements and financial assets identified in the receipt in such bank's account with any bank chartered in Kansas or any other state, any trust company chartered in Kansas or any other state, any national bank, or any centralized securities depository wherever located within the United States. No securities, security entitlements and financial assets securing public deposits shall be deposited in any bank, trust company, or national bank which is owned directly or indirectly by any parent corporation of the depository bank, or with any bank, trust company, or national bank, having common controlling shareholders, having a common majority of the board of directors or having common directors with the ability to control or influence directly or indirectly the acts or policies of the bank, savings and loan association or savings bank securing such public deposits. When securities, security entitlements and financial assets are deposited with the state treasurer as authorized by this subsection, the state treasurer shall make a charge for such service which is equivalent to the reasonable and customary charge made therefor. Securities, security entitlements and financial assets securing the deposits of any municipal corporation or quasi-municipal corporation may be deposited with the federal reserve bank of Kansas City to be there held in such manner, under regulations and operating letters of the bank, as to secure payment of the deposits of the municipal corporation or quasi-municipal corporation in the depository institution.

(c) The depository bank, savings and loan association or savings bank and any agent, trustee, wholly-owned subsidiary or affiliate having identical ownership granting a security interest shall enter into a written agreement with the municipal corporation or quasi-municipal corporation granting the municipal corporation or quasi-municipal corporation a security interest in the securities, security

entitlements and financial assets qualified under K.S.A. 9-1402, and amendments thereto, to secure payment of deposits of public moneys of the municipal corporation or quasi-municipal corporation. Such security interests shall be perfected by the depository bank, savings and loan association or savings bank and any agent, trustee, wholly-owned subsidiary or affiliate having identical ownership granting a security interest causing control of the securities, security entitlements and financial assets under the Kansas uniform commercial code to be given to the municipality or quasi-municipality. The security agreement and the custodial agreement shall be in writing, executed by all parties thereto, maintained as part of their official records, and except for the municipal corporations or quasi-municipal corporation, approved by their boards of directors or their loan committees, which approvals shall be reflected in the minutes of the boards or committees.

(d) A bank, savings and loan association or savings bank which fails to pay according to its terms any deposit of public moneys of any municipal or quasi-municipal corporation shall immediately take such actions as are required to enable bonds and securities pledged to secure such deposit to be sold to satisfy its obligation to the municipal or quasi-municipal corporation.

**History:** L. 1947, ch. 102, § 67; L. 1975, ch. 44, § 24; L. 1976, ch. 58, § 1; L. 1982, ch. 52, § 4; L. 1983, ch. 47, § 5; L. 1985, ch. 58, § 4; L. 1986, ch. 76, § 5; L. 1989, ch. 48, § 44; L. 1990, ch. 60, § 1; L. 1993, ch. 207, § 1; L. 1994, ch. 105, § 1; L. 1997, ch. 180, § 6; May 29.

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## 9-1406

### Chapter 9.--BANKS AND BANKING; TRUST COMPANIES Article 14.--BANKING CODE; DEPOSIT OF PUBLIC MONEYS

**9-1406. Exemption from liability for loss by official depository.** No public officer nor the sureties upon such officer's bond shall be liable for any loss sustained by the failure or default of any designated depository or depositories after a deposit or deposits have been made in an officially designated bank, savings and loan association or savings bank as provided in this act. This exemption from liability shall apply even though other statutes shall require the furnishing of a bond or other securities by the designated depositories of public moneys. This exemption shall also apply whenever a public officer, municipal corporation or quasi-municipal corporation has acted in good faith to comply with the provisions of this act.

**History:** L. 1947, ch. 102, § 68; L. 1983, ch. 47, § 6; L. 1986, ch. 76, § 6; L. 1989, ch. 48, § 45; L. 1997, ch. 180, § 7; L. 2000, ch. 71, § 1; July 1.

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## 9-1407

### Chapter 9.--BANKS AND BANKING; TRUST COMPANIES Article 14.--BANKING CODE; DEPOSIT OF PUBLIC MONEYS

**9-1407. Exemption of security for insured portion of public deposits.** That portion of any deposit of public moneys or funds which is insured by the federal deposit insurance corporation, or its successor, need not be secured as provided in this act.

**History:** L. 1947, ch. 102, § 69; L. 1982, ch. 52, § 5; L. 1997, ch. 180, § 8; May 29.

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## 10-131

### Chapter 10.--BONDS AND WARRANTS Article 1.--GENERAL BOND LAW

**10-131. Investment of proceeds of bonds or temporary notes and certain funds authorized; disposition of interest received therefrom.** (a) The governing body of any municipality, as defined in K.S.A. 10-101, and amendments thereto, which has issued or may issue bonds or temporary notes for any purpose, is hereby authorized and empowered to invest any portion of the proceeds of such bonds, notes or funds held pursuant to the resolution or ordinance authorizing the issuance of such bonds or notes, which is not currently needed, in: (1) Investments authorized by K.S.A. 12-1675, and amendments thereto, in the manner prescribed therein; (2) the municipal investment pool established pursuant to K.S.A. 12-1677a, and amendments thereto; (3) direct obligations of the United States government or any agency thereof; (4) the municipality's temporary notes issued pursuant to K.S.A. 10-123, and amendments thereto; (5) interest-bearing time deposits in commercial banks located in the county or counties in which the municipality is located; (6) subject to the limitations provided in subsection (b), obligations of the federal national mortgage association, federal home loan banks or the federal home loan mortgage corporation; (7) repurchase agreements for securities described in (3) or (6); (8) investment agreements with or other obligations of a financial institution the obligations of which at the time of investment are rated in either of the three highest rating categories by Moody's investors service or Standard and Poor's corporation; (9) investments in shares or units of a money market fund or trust the portfolio of which is comprised entirely of securities described in (3) or (6); (10) receipts evidencing ownership interests in securities or portions thereof described in (3) or (6); (11) municipal bonds or other obligations issued by any municipality of the state of Kansas as defined in K.S.A. 10-1101, and amendments thereto, which are general obligations of the municipality issuing the same; or (12) bonds of any municipality of the state of Kansas as defined in K.S.A. 10-1101, and amendments thereto, which have been refunded in advance of their maturity and are fully secured as to payment of principal and interest thereon by deposit in trust, under escrow agreement with a bank, of securities described in (3) or (6). The interest received on any such investment shall upon receipt thereof be set aside and used for the purpose of paying interest on the bonds or notes issued or used for paying the cost of the project for which the bonds or notes were issued.

(b) No moneys authorized to be invested pursuant to subsection (a) shall be invested in a derivative.

For the purposes of this section, "derivative" means any investment instrument whose market price is derived from the fluctuating value of an underlying asset, index, currency, futures contract, including futures, options and collateralized mortgage obligations.

**History:** L. 1947, ch. 106, § 1; L. 1949, ch. 113, § 1; L. 1953, ch. 56, § 1; L. 1971, ch. 38, § 1; L. 1971, ch. 39, § 1; L. 1976, ch. 62, § 1; L. 1977, ch. 54, § 2; L. 1980, ch. 52, § 1; L. 1987, ch. 60, § 2; L. 1988, ch. 66, § 1; L. 1989, ch. 48, § 64; L. 1994, ch. 103, § 1; L. 1996, ch. 84, § 1; July 1.

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## 12-1675

### Chapter 12.--CITIES AND MUNICIPALITIES Article 16.--MISCELLANEOUS PROVISIONS

**12-1675. Investment of public moneys by governmental subdivisions, units and entities; conditions and limitations.** (a) The governing body of any county, city, township, school district, area vocational-technical school, community college, firemen's relief association, community mental health center, community facility for the mentally retarded or any other governmental entity, unit or subdivision in the state of Kansas having authority to receive, hold and expend public moneys or funds may invest any moneys which are not immediately required for the purposes for which the moneys were collected or received, and the investment of which is not subject to or regulated by any other statute.

(b) Such moneys shall be invested only:

(1) In temporary notes or no-fund warrants issued by such investing governmental unit;

(2) in time deposit, open accounts, certificates of deposit or time certificates of deposit with maturities of not more than two years: (A) In banks, savings and loan associations and savings banks, which have main or branch offices located in such investing governmental unit; or (B) if no main or branch office of a bank, savings and loan association or savings bank is located in such investing governmental unit, then in banks, savings and loan associations and savings banks, which have main or branch offices in the county or counties in which all or part of such investing governmental unit is located;

(3) in repurchase agreements with: (A) Banks, savings and loan associations and savings banks, which have main or branch offices located in such investing governmental unit, for direct obligations of, or obligations that are insured as to principal and interest by, the United States government or any agency thereof; or (B) (i) if no main or branch office of a bank, savings and loan association or savings bank, is located in such investing governmental unit; or (ii) if no such bank, savings and loan association or savings bank having a main or branch office located in such investing governmental unit is willing to enter into such an agreement with the investing governmental unit at an interest rate equal to or greater than the investment rate, as defined in subsection (g) of K.S.A. 12-1675a, then such repurchase agreements may be entered into with banks, savings and loan associations or savings banks which have main or branch offices in the county or counties in which all or part of such investing governmental unit is located; or (C) if no bank, savings and loan association or savings bank, having a main or branch office in such county or counties is willing to enter into such an agreement with the investing governmental unit at an interest rate equal to or greater than the investment rate, as defined in subsection (g) of K.S.A. 12-1675a, then such repurchase agreements may be entered into with banks, savings and loan associations or savings banks;

determine, but not exceeding two years. Such investment transactions shall only be conducted with banks, savings and loan associations and savings banks; the federal reserve bank of Kansas City, Missouri; or with primary government securities dealers which report to the market report division of the federal reserve bank of New York, or any broker-dealer engaged in the business of selling government securities which is registered in compliance with the requirements of section 15 or 15C of the securities exchange act of 1934 and registered pursuant to K.S.A. 17-1254, and amendments thereto;

(5) in the municipal investment pool fund established in K.S.A. 12-1677a, and amendments thereto;

(6) in the investments authorized and in accordance with the conditions prescribed in K.S.A. 12-1677b, and amendments thereto; or

(7) in multiple municipal client investment pools managed by the trust departments of banks which have main or branch offices located in the county or counties where such investing governmental unit is located or with trust companies incorporated under the laws of this state which have contracted to provide trust services under the provisions of K.S.A. 9-2107, and amendments thereto, with banks which have main or branch offices located in the county or counties in which such investing governmental unit is located. Public moneys invested under this paragraph shall be secured in the same manner as provided for under K.S.A. 9-1402, and amendments thereto. Pooled investments of public moneys made by trust departments under this paragraph shall be subject to the same terms, conditions and limitations as are applicable to the municipal investment pool established by K.S.A. 12-1677a, and amendments thereto.

(c) The investments authorized in paragraphs (4), (5), (6) or (7) of subsection (b) shall be utilized only if the banks, savings and loan associations and savings banks eligible for investments authorized in paragraph (2) of subsection (b), cannot or will not make the investments authorized in paragraph (2) of subsection (b) available to the investing governmental unit at interest rates equal to or greater than the investment rate, as defined in subsection (g) of K.S.A. 12-1675a.

(d) In selecting a depository pursuant to paragraph (2) of subsection (b), if a bank, savings and loan association or savings bank eligible for an investment deposit thereunder has an office located in the investing governmental unit and such financial institution will make such deposits available to the investing governmental unit at interest rates equal to or greater than the investment rate, as defined in subsection (g) of K.S.A. 12-1675a, and such financial institution otherwise qualifies for such deposit, the investing governmental unit shall select one or more of such eligible financial institutions for deposit of funds pursuant to this section. If no such financial institution qualifies for such deposits, the investing governmental unit shall select for such deposits one or more eligible banks, savings and loan associations or savings banks which have offices in the county or counties in which all or a part of such investing governmental unit is located which will make such deposits available to the investing governmental unit at interest rates equal to or greater than the investment rate, as defined in subsection (g) of K.S.A. 12-1675a, and which otherwise qualify for such deposits.

(e) (1) All security purchases and repurchase agreements shall occur on a delivery versus payment basis.

(2) All securities, including those acquired by repurchase agreements, shall be perfected in the name of the investing governmental unit and shall be delivered to the purchaser or a third-party custodian which may be the state treasurer.

**History:** L. 1968, ch. 217, § 1; L. 1969, ch. 80, § 1; L. 1973, ch. 63, § 6; L. 1975, ch. 68, § 1; L. 1976, ch. 79, § 2; L. 1977, ch. 55, § 1; L. 1982, ch. 52, § 6; L. 1983, ch. 47, § 7; L. 1986, ch. 76, § 7; L. 1989, ch. 48, § 66; L. 1992, ch. 146, § 3; L. 1993, ch. 207, § 2; L. 1994, ch. 104, § 2; L. 1997, ch. 180, § 14; May 29.



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## 12-1676

### Chapter 12.--CITIES AND MUNICIPALITIES Article 16.--MISCELLANEOUS PROVISIONS

**12-1676. Inapplicability of act to certain moneys; rates.** Except as otherwise provided in K.S.A. 12-1678a, and amendments thereto, the provisions of this act authorizing the investment of moneys shall not apply to moneys collected or received by a county for apportionment, credit or distribution to the state or any political subdivision thereof. Interest paid by eligible banks, savings and loan associations and savings banks on time deposit, open accounts, time certificates of deposit and certificates of deposit of investing governmental units shall be at rates agreed upon by the governmental units and the eligible banks, savings and loan associations or savings banks.

**History:** L. 1968, ch. 217, § 2; L. 1973, ch. 63, § 7; L. 1973, ch. 64, § 1; L. 1974, ch. 394, § 2; L. 1975, ch. 68, § 2; L. 1976, ch. 79, § 3; L. 1982, ch. 52, § 7; L. 1983, ch. 47, § 8; L. 1986, ch. 76, § 8; L. 1989, ch. 48, § 67; L. 1997, ch. 180, § 15; May 29.

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## 12-1677

### Chapter 12.--CITIES AND MUNICIPALITIES Article 16.--MISCELLANEOUS PROVISIONS

**12-1677. Investment of public moneys by governmental entities, units and subdivisions; use of income; records; quarterly report.** (a) Except as otherwise required by state or federal law, all moneys earned and collected from investments by counties, area vocational-technical schools and quasi-municipal corporations authorized in this act shall be credited to the general fund of such county, area vocational-technical school or quasi-municipal corporation by the treasurer thereof, and all moneys earned and collected from investments by school districts authorized in this act shall be credited in accordance with the provisions of K.S.A. 72-6427, and amendments thereto.

(b) The treasurer of each county, school district, area vocational-technical school or quasi-municipal corporation shall maintain a complete record of all investments authorized in this act and shall make a quarterly written report of such record to the governing body of such county, school district, area vocational-technical school or quasi-municipal corporation.

**History:** L. 1968, ch. 217, § 3; L. 1969, ch. 80, § 2; L. 1973, ch. 63, § 8; L. 1975, ch. 68, § 3; L. 1992, ch. 280, § 50; July 1.

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## 19-532

### Chapter 19.--COUNTIES AND COUNTY OFFICERS Article 5.--COUNTY TREASURER

**19-532. Charging bank with money deposited and fiscal agent with money transmitted and crediting treasurer with such amounts.** It shall be the duty of the county clerk of such county to charge the bank designated as the depository of the public money with all moneys deposited by the treasurer, and charge the fiscal agent with the amount of money transmitted to it by the county treasurer, and credit the county treasurer with such amount transmitted.

**History:** L. 1876, ch. 78, § 4; May 1; R.S. 1923, 19-532.

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## 75-4201

### Chapter 75.--STATE DEPARTMENTS; PUBLIC OFFICERS AND EMPLOYEES Article 42.--STATE MONEYS

**75-4201. Definitions.** As used in this act, unless the context otherwise requires:

- (a) "Treasurer" means state treasurer.
- (b) "Controller" means director of accounts and reports.
- (c) "Board" means the pooled money investment board.
- (d) "Bank" means a bank incorporated under the laws of this state, or organized under the laws of the United States or another state and which has a main or branch office in this state.
- (e) "State moneys" means all moneys in the treasury of the state or coming lawfully into the possession of the treasurer.
- (f) "State bank account" means state moneys or fee agency account moneys deposited in accordance with the provisions of this act.
- (g) "Operating account" means a state bank account which is payable or withdrawable, in whole or in part, on demand.
- (h) "Investment account" means a state bank account which is not payable on demand.
- (i) "Fee agency account" means a state bank account of any state agency consisting of moneys authorized by law prior to remittance to the state treasurer.
- (j) "Disbursement" means a payment of any kind whatsoever made from the state treasury or from any operating account, except transfer of moneys between or among operating accounts and investment accounts or either or both of them.
- (k) "Securities" means, for the purposes of this section and K.S.A. 75-4218, and amendments thereto, securities, security entitlements, financial assets and securities account consisting of any one or more of the following, and security entitlements thereto, which may be accepted or rejected by the pooled money investment board:
  - (1) Direct obligations of, or obligations that are insured as to principal and interest by, the United States government or any agency thereof and obligations, letters of credit and securities of United States sponsored enterprises which under federal law may be accepted as security for public

turns.

- (2) Kansas municipal bonds which are general obligations of the municipality issuing the same.
- (3) Revenue bonds of any agency or arm of the state of Kansas.
- (4) Revenue bonds of any municipality, as defined by K.S.A. 10-101, and amendments thereto, within the state of Kansas or bonds issued by a public building commission as authorized by K.S.A. 12-1761, and amendments thereto, if approved by the state bank commissioner, except (A) bonds issued under the provisions of K.S.A. 12-1740 *et seq.*, and amendments thereto, unless such bonds are rated at least MIG-1 or Aa by Moody's Investors Service or AA by Standard & Poor's Corp. and (B) bonds secured by revenues of a utility which has been in operation for less than three years. Any expense incurred in connection with granting approval of revenue bonds shall be paid by the applicant for approval.
- (5) Temporary notes of any municipal corporation or quasi-municipal corporation within the state of Kansas which are general obligations of the municipal corporation or quasi-municipal corporation issuing the same.
- (6) Warrants of any municipal corporation or quasi-municipal corporation within the state of Kansas the issuance of which is authorized by the state board of tax appeals and which are payable from the proceeds of a mandatory tax levy.
- (7) Bonds of any municipal or quasi-municipal corporation of the state of Kansas which have been refunded in advance of their maturity and are fully secured as to payment of principal and interest thereon by deposit in trust, under escrow agreement with a bank, of direct obligations of, or obligations the principal of and the interest on which are unconditionally guaranteed by, the United States of America. A copy of such escrow agreement shall be furnished to the treasurer.
- (8) Securities listed in paragraph (14) of subsection (d) of K.S.A. 9-1402, and amendments thereto, within limitations of K.S.A. 9-1402, and amendments thereto.
- (9) A corporate surety bond guaranteeing deposits in a bank, savings or savings and loan association in excess of federal deposit insurance corporation insurance, underwritten by an insurance company authorized to do business in the state of Kansas.
- (10) Commercial paper that does not exceed 270 days to maturity and which has received one of the two highest commercial paper credit ratings by a nationally recognized investment rating firm.
- (11) All of such securities shall be current as to interest according to the terms thereof.
  - (l) "Savings bank" means a savings bank organized under the laws of the United States or another state insured by the federal deposit insurance corporation or its successor and having a main or branch office in the county in which a state agency making collection of any fees, tuition, or charges is located.
  - (m) "Savings and loan association" means a savings and loan association incorporated under the laws of this state or organized under the laws of the United States or another state, insured by the federal deposit insurance corporation or its successor and having a main or branch office in the county in which a state agency making collection of any fees, tuition or charges is located.
  - (n) "Custodial bank" means a bank holding on deposit collateral which is security for state bank accounts.

and exchange commission which provides safekeeping and book-entry settlement services to its participants.

(p) "Depository bank" means a bank, savings bank or savings and loan association authorized and eligible to receive state moneys.

(q) "Main office" means the place of business specified in the articles of association, certificate of authority or similar document, where the business of the institution is carried on and which is not a branch.

(r) "Branch" means any office, agency or other place of business within this state, other than the main office, at which deposits are received, checks paid or money lent with approval of the appropriate regulatory authorities. Branch does not include an automated teller machine, remote service unit or similar device.

(s) "Securities," "security entitlements," "financial assets," "securities account," "security agreement," "security interest," "perfection" and "control" shall have the meanings given such terms under the Kansas uniform commercial code.

**History:** L. 1967, ch. 447, § 1; L. 1968, ch. 236, § 2; L. 1969, ch. 411, § 1; L. 1970, ch. 365, § 1; L. 1970, ch. 63, § 2; L. 1975, ch. 453, § 1; L. 1978, ch. 360, § 1; L. 1982, ch. 362, § 1; L. 1983, ch. 49, § 96; L. 1986, ch. 331, § 1; L. 1989, ch. 48, § 104; L. 1991, ch. 262, § 1; L. 1992, ch. 146, § 10; L. 1993, ch. 207, § 5; L. 1994, ch. 105, § 3; L. 1996, ch. 254, § 14; L. 1997, ch. 180, § 21; L. 2001, ch. 5, § 1; July 1.

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**DOUGLAS COUNTY**  
**SCHEDULE OF PLEDGED SECURITIES AND DEPOSIT INSURANCE**  
**January 31, 2002**

<u>BANK</u>	<u>TOTAL BANK DEPOSITS</u>	<u>TOTAL PLEDGED SECURITIES AND FDIC INSURANCE</u>	<u>ADEQUATE/ [INADEQUATE] COVERAGE</u>	<u>COVERAGE</u>
BALDWIN STATE BANK	5,984.87	2,273,074.60	2,267,109.73	ADEQUATE
DOUGLAS COUNTY BANK	23,859.55	534,451.05	510,591.50	ADEQUATE
KANSAS STATE BANK	7,044.34	17,702,175.00	17,695,130.66	ADEQUATE
KAW VALLEY BANK	502,232.59	793,601.75	291,369.20	ADEQUATE
US BANK	2,707,321.60	28,062,612.50	25,355,290.90	ADEQUATE



DOUGLAS COUNTY INVESTMENT PORTFOLIO  
 SCHEDULE OF INVESTMENT ACTIVITY  
 DOUGLAS COUNTY INVESTMENT PORTFOLIO  
 01/31/02

INVESTMENT	BANK	ACCOUNT NUMBER	OPEN DATE	MATURITY DATE	TERM	INTEREST RATE	BALANCE 12/31/01	ADDITIONS	WITHDRAWALS	BALANCE 01/31/02	2002 ESTIMATED INTEREST	DATE INTEREST PAID	YTD ACTUAL INTEREST PAID
	Baldwin State Bank												
	Douglas County Bank												
CD	Kansas State	0058371	11/09/01	01/22/02		1.530%	10,000,000.00	0.00	(10,000,000.00)	7,000,000.00	31,019.18	01/16/02	\$1,019.19
		58484	01/23/02	05/18/02	113 Days	1.520%	0.00	7,000,000.00	0.00	7,000,000.00	16,032.89		
		58483	01/23/02	03/19/02	55 Days	1.510%	0.00	9,000,000.00	0.00	9,000,000.00	20,478.08		
CD	Kaw Valley Bank	7844	12/03/01	12/02/02	365 Days	2.500%	500,000.00	0.00	0.00	500,000.00	12,500.00		
Bonds	Muni Invest Pool	72-04	01/01/02	01/31/02	31 Days	1.420%	2,070,384.07	18,842.40	(4,955.66)	2,084,070.81		01/31/02	13,886.74
		72-04	12/28/01	01/22/02	27 Days	1.530%	4,000,000.00		(4,000,000.00)				
		72-04	12/27/01	01/22/02	28 Days	1.530%	6,000,000.00		(6,000,000.00)				
		72-04	01/03/02	01/22/02	19 Days	1.500%	0.00	4,000,000.00					
		72-05	08/10/01	01/30/02	142 Days	3.040%	1,132,828.11		(1,132,828.11)				
		72-05	08/10/01	02/28/02	171 Days	3.040%	1,280,044.36	13,385.42	(13,385.42)	1,280,044.36		01/30/01	13,385.42
	Reinvestment	72-06	01/30/02	08/01/02	183 Days	2.110%	0.00	1,132,828.11		1,132,828.11			
		72-08	12/18/01	01/22/02	34 Days	1.530%	7,000,000.00	23,422.19	(7,023,422.19)				
		72-08	12/20/01	01/22/02	33 Days	1.610%	5,000,000.00		(5,000,000.00)				
		72-08	12/21/01	01/22/02	32 Days	1.610%	4,000,000.00		(4,000,000.00)				
		72-08	12/05/01	02/01/02	58 Days	1.530%	2,500,000.00		0.00	2,500,000.00			
		72-09	01/03/02	07/02/02	180 Days	1.640%	0.00	1,100,000.00		1,100,000.00	8,896.44		
		72-09	01/03/02	07/02/02	180 Days	1.640%	0.00	700,000.00		700,000.00	5,661.37		
					TOTAL		43,493,056.54	22,858,058.12	(41,174,401.38)	25,306,743.28			61,923.63

**DOUGLAS COUNTY**  
**SCHEDULE OF PLEDGED SECURITIES AND DEPOSIT INSURANCE**  
**February 28, 2002**

<u>BANK</u>	<u>TOTAL BANK DEPOSITS</u>	<u>TOTAL PLEDGED SECURITIES AND FDIC INSURANCE</u>	<u>ADEQUATE/ [INADEQUATE] COVERAGE</u>	<u>COVERAGE</u>
BALDWIN STATE BANK	\$ 8,909.18	\$ 1,874,087.18	\$ 1,865,178.00	ADEQUATE
DOUGLAS COUNTY BANK	23,832.78	532,944.78	509,112.00	ADEQUATE
KANSAS STATE BANK	10,191.62	16,576,662.48	16,566,470.86	ADEQUATE
KAW VALLEY BANK	502,232.59	822,575.59	320,343.00	ADEQUATE
USBank	3,311,272.53	27,606,216.09	24,294,943.56	ADEQUATE

DOUGLAS COUNTY INVESTMENT PORTFOLIO  
 SCHEDULE OF INVESTMENT ACTIVITY  
 DOUGLAS COUNTY INVESTMENT PORTFOLIO  
 February 28, 2002

INVESTMENT	BANK	ACCOUNT NUMBER	OPEN DATE	MATURITY DATE	TERM	INTEREST RATE	BALANCE 01/31/02	ADDITIONS	WITHDRAWALS	BALANCE 02/28/02	ESTIMATED INTEREST	DATE INTEREST PAID	YTD ACTUAL INTEREST "PAID"
	Baldwin State												
	Douglas County Bank												
CD	Kansas State	58371	11/09/01	01/22/02	74 Days	1.530%	0.00	0.00	0.00	0.00	0.00	01/16/02	31,019.18
		58494	01/23/02	05/16/02	113 Days	1.520%	7,000,000.00	0.00	0.00	7,000,000.00	16,032.88		
		58493	01/23/02	03/19/02	55 Days	1.510%	9,000,000.00	0.00	0.00	9,000,000.00	20,478.08		
CD	Kaw Valley State	7844	12/03/01	12/02/02	365 Days	2.500%	500,000.00	0.00	0.00	500,000.00	12,500.00		
Bonds	Muni Invest Pool	72-04	12/31/01	01/31/02	31 Days	1.420%	2,084,070.81	2,323.67	(13,666.74)	2,072,707.74		monthly	16,010.41
Bonds	Muni Invest Pool	72-08	12/05/01	02/01/02	58 Days	1.530%	2,500,000.00	0.00	(2,500,000.00)	0.00	0.00		
		72-05	09/10/01	02/28/02	171 Days	3.040%	1,290,044.36	18,373.06	(1,308,417.42)	0.00	0.00		
		72-06	01/30/02	08/01/02	183 Days	2.110%	1,132,628.11	0.00	0.00	1,132,628.11			
Bonds	Muni Invest Pool	72-08	12/19/01	01/22/02	34 Days	1.530%	0.00	0.00	0.00	0.00	0.00	01/30/02	23,422.19
		72-09	01/03/02	07/02/02	180 Days	1.640%	1,100,000.00	0.00	0.00	1,100,000.00			
		72-09	01/03/02	07/02/02	180 Days	1.640%	700,000.00	0.00	0.00	700,000.00			
<b>TOTAL</b>							<b>25,306,743.28</b>	<b>20,695.73</b>	<b>(3,822,104.16)</b>	<b>21,505,335.85</b>	<b>0.00</b>		<b>70,451.78</b>
											<b>0.00</b>		

**DOUGLAS COUNTY**  
**SCHEDULE OF PLEDGED SECURITIES AND DEPOSIT INSURANCE**  
**March 31, 2002**

<u>BANK</u>	<u>TOTAL BANK DEPOSITS</u>	<u>TOTAL PLEDGED SECURITIES AND FDIC INSURANCE</u>	<u>ADEQUATE/ [INADEQUATE] COVERAGE</u>	<u>COVERAGE</u>
BALDWIN STATE BANK	\$ 9,108.51	\$ 802,365.11	\$ 793,256.60	ADEQUATE
DOUGLAS COUNTY BANK	23,555.49	530,503.99	506,948.50	ADEQUATE
KANSAS STATE BANK	23,228.15	7,575,708.59	7,552,480.44	ADEQUATE
KAW VALLEY BANK	502,232.59	816,857.59	314,625.00	ADEQUATE
USBank	3,153,964.00	27,603,961.07	24,449,997.07	ADEQUATE

DOUGLAS COUNTY INVESTMENT PORTFOLIO  
 SCHEDULE OF INVESTMENT ACTIVITY  
 DOUGLAS COUNTY INVESTMENT PORTFOLIO  
 March 31, 2002

INVESTMENT	BANK	ACCOUNT NUMBER	OPEN DATE	MATURITY DATE	TERM	INTEREST RATE	BALANCE 02/28/02	ADDITIONS	WITHDRAWALS	BALANCE 03/31/02	ESTIMATED INTEREST	DATE INTEREST PAID	YTD ACTUAL INTEREST "PAID"
	Baldwin State												
	Douglas County Bank												
CD	Kansas State	56371	11/09/01	01/22/02	74 Days	1.530%	0.00	0.00	0.00	0.00	0.00	01/16/02	31,019.18
		56494	01/23/02	05/16/02	113 Days	1.520%	7,000,000.00	0.00	0.00	7,000,000.00	16,032.88		
		58493	01/23/02	03/19/02	55 Days	1.510%	9,000,000.00	0.00	(9,000,000.00)	0.00	20,478.08		
CD	Kaw Valley State	7844	12/03/01	12/02/02	365 Days	2.500%	500,000.00	0.00	0.00	500,000.00	12,500.00		
Bonds	Muni Invest Pool	72-04	03/01/02	03/31/02	31 Days	1.420%	2,072,707.74	2,001,385.99	(2,072,707.74)	2,001,385.99		monthly	16,010.41
Bonds	Muni Invest Pool	72-08	12/05/01	02/01/02	58 Days	1.530%	0.00	0.00	0.00	0.00			
		72-05	03/12/02	08/01/02	123 Days	1.680%	0.00	715,358.11	0.00	715,358.11			
		72-07	03/25/02	03/25/03	359 Days	2.750%	0.00	2,000,000.00	0.00	2,000,000.00			
		72-06	01/30/02	08/01/02	123 Days	2.110%	1,132,628.11	2,000,000.00	0.00	3,132,628.11			
Bonds	Muni Invest Pool	72-08	12/19/01	01/22/02	34 Days	1.530%	0.00	0.00	0.00	0.00		01/30/02	23,422.19
		72-09	01/03/02	07/02/02	180 Days	1.640%	1,100,000.00	0.00	0.00	1,100,000.00			
		72-09	01/03/02	07/02/02	180 Days	1.640%	700,000.00	0.00	0.00	700,000.00			
						TOTAL	21,505,336.85	5,716,744.10	(11,072,707.74)	17,149,372.21	0.00		
											0.00		70,461.78

**DOUGLAS COUNTY**  
**SCHEDULE OF PLEDGED SECURITIES AND DEPOSIT INSURANCE**  
**April 30, 2002**

<u>BANK</u>	<u>TOTAL BANK DEPOSITS</u>	<u>TOTAL PLEDGED SECURITIES AND FDIC INSURANCE</u>	<u>ADEQUATE/ [INADEQUATE] COVERAGE</u>	<u>COVERAGE</u>
BALDWIN STATE BANK	\$ 2,887.52	\$ 521,512.52	\$ 518,625.00	ADEQUATE
DOUGLAS COUNTY BANK	3,256.80	508,540.80	505,284.00	ADEQUATE
KANSAS STATE BANK	31,246.68	7,598,419.79	7,567,173.11	ADEQUATE
KAW VALLEY BANK	505,139.22	820,170.22	315,031.00	ADEQUATE
USBank	4,118,349.91	27,603,961.07	23,485,611.16	ADEQUATE

DOUGLAS COUNTY INVESTMENT PORTFOLIO  
 SCHEDULE OF INVESTMENT ACTIVITY  
 DOUGLAS COUNTY INVESTMENT PORTFOLIO  
 April 30, 2002

INVESTMENT	BANK	ACCOUNT NUMBER	OPEN DATE	MATURITY DATE	TERM	INTEREST RATE	BALANCE 02/28/02	ADDITIONS	WITHDRAWALS	BALANCE 04/30/02	ESTIMATED INTEREST	DATE INTEREST PAID	YTD ACTUAL INTEREST "PAID"
	Baldwin State												
	Douglas County Bank												
CD	Kansas State	58371	11/09/01	01/22/02	74 Days	1.530%	0.00	0.00	0.00	0.00	0.00	01/16/02	31,019.18
		58494	01/23/02	05/16/02	113 Days	1.520%	7,000,000.00	0.00	0.00	7,000,000.00	16,032.88		
		58493	01/23/02	03/19/02	55 Days	1.510%	0.00	0.00	0.00	0.00	20,478.08		
CD	Kaw Valley State	7844	12/03/01	12/02/02	365 Days	2.500%	500,000.00	0.00	0.00	500,000.00	12,500.00		
Bonds	Muni Invest Pool	72-04	03/01/02	03/31/02	31 Days	1.420%	2,001,365.99	1,001,328.34	(1,501,365.99)	1,501,328.34		monthly	18,724.74
Bonds	Muni Invest Pool	72-08	12/05/01	02/01/02	58 Days	1.530%	0.00	0.00	0.00	0.00			
		72-05	03/12/02	08/01/02	123 Days	1.680%	715,358.11	0.00	0.00	715,358.11			
		72-07	03/25/02	03/25/03	359 Days	2.750%	2,000,000.00	0.00	0.00	2,000,000.00			
		72-06	01/30/02	08/01/02	123 Days	2.110%	3,132,628.11	0.00	0.00	3,132,628.11		01/30/02	23,422.19
Bonds	Muni Invest Pool	72-08	12/19/01	01/22/02	34 Days	1.530%	0.00	0.00	0.00	0.00			
		72-09	01/03/02	07/02/02	180 Days	1.640%	1,100,000.00	0.00	0.00	1,100,000.00			
		72-09	01/03/02	07/02/02	180 Days	1.640%	700,000.00	0.00	0.00	700,000.00			
						TOTAL	17,149,372.21	1,001,328.34	(1,501,365.99)	15,649,314.56	0.00		
											0.00		

73,166.11

**DOUGLAS COUNTY**  
**SCHEDULE OF PLEDGED SECURITIES AND DEPOSIT INSURANCE**  
**May 31, 2002**

<u>BANK</u>	<u>TOTAL BANK DEPOSITS</u>	<u>TOTAL PLEDGED SECURITIES AND FDIC INSURANCE</u>	<u>ADEQUATE/ [INADEQUATE] COVERAGE</u>	<u>COVERAGE</u>
BALDWIN STATE BANK	\$ 2,106.60	\$ 530,918.60	\$ 528,812.00	ADEQUATE
DOUGLAS COUNTY BANK	3,233.93	506,737.43	503,503.50	ADEQUATE
KANSAS STATE BANK	28,846.37	565,876.37	537,030.00	ADEQUATE
KAW VALLEY BANK	633,298.50	1,314,718.00	681,419.50	ADEQUATE
USBank	4,043,165.73	44,626,969.90	40,583,804.17	ADEQUATE



DOUGLAS COUNTY INVESTMENT PORTFOLIO  
 SCHEDULE OF INVESTMENT ACTIVITY  
 DOUGLAS COUNTY INVESTMENT PORTFOLIO  
 May 31, 2002

INVESTMENT	BANK	ACCOUNT NUMBER	OPEN DATE	MATURITY DATE	TERM	INTEREST RATE	BALANCE 04/30/02	ADDITIONS	WITHDRAWALS	BALANCE 05/31/02	ESTIMATED INTEREST	DATE INTEREST PAID	YTD ACTUAL INTEREST "PAID"
	Baldwin State												
	Douglas County Bank												
CD	Kansas State	56371	11/09/01	01/22/02	74 Days	1.530%	0.00	0.00	0.00	0.00	0.00	01/16/02	31,019.18
		58494	01/23/02	05/16/02	113 Days	1.520%	7,000,000.00	0.00	(7,000,000.00)	0.00	16,032.88		
		58677	05/21/02	07/19/02	59 Days	1.530%	0.00	5,000,000.00	0.00	5,000,000.00			
CD	Kaw Valley State	7844	12/03/01	12/02/02	365 Days	2.500%	500,000.00	0.00	0.00	500,000.00	12,500.00		
Bonds	Muni Invest Pool	72-04	05/01/02	05/31/02	31 Days	1.420%	1,501,328.34	1,819.21	(1,328.34)	1,501,819.21		monthly	18,724.74
Bonds	Muni Invest Pool	72-08	12/05/01	02/01/02	58 Days	1.530%	0.00	0.00	0.00	0.00			
		72-05	03/12/02	08/01/02	62 Days	1.680%	715,358.11	0.00	0.00	715,358.11			
		72-07	03/25/02	03/25/03	359 Days	2.750%	2,000,000.00	0.00	0.00	2,000,000.00			
		72-06	01/30/02	08/01/02	123 Days	2.110%	3,132,628.11	0.00	0.00	3,132,628.11			
Bonds	Muni Invest Pool	72-08	12/19/01	01/22/02	34 Days	1.530%	0.00	0.00	0.00	0.00		01/30/02	23,422.19
		72-09	01/03/02	07/02/02	180 Days	1.640%	1,100,000.00	0.00	0.00	1,100,000.00			
		72-09	01/03/02	07/02/02	180 Days	1.640%	700,000.00	0.00	0.00	700,000.00			
						TOTAL	16,649,314.56	5,001,819.21	(7,001,328.34)	14,649,805.43			
											0.00		
											0.00		

73,166.11

**DOUGLAS COUNTY**  
**SCHEDULE OF PLEDGED SECURITIES AND DEPOSIT INSURANCE**  
**June 30, 2002**

<u>BANK</u>	<u>TOTAL BANK DEPOSITS</u>	<u>TOTAL PLEDGED SECURITIES AND FDIC INSURANCE</u>	<u>ADEQUATE/ [INADEQUATE] COVERAGE</u>	<u>COVERAGE</u>
BALDWIN STATE BANK	\$ 2,106.60	\$ 727,887.60	\$ 725,781.00	ADEQUATE
DOUGLAS COUNTY BANK	3,282.29	505,231.79	501,949.50	ADEQUATE
KANSAS STATE BANK	27,267,939.59	28,687,625.13	1,419,685.54	ADEQUATE
KAW VALLEY BANK	650,392.01	925,781.00	275,388.99	ADEQUATE
USBank	3,003,304.68	43,761,769.59	40,758,464.91	ADEQUATE



**DOUGLAS COUNTY**  
**SCHEDULE OF PLEDGED SECURITIES AND DEPOSIT INSURANCE**  
**July 31, 2002**

<u>BANK</u>	<u>TOTAL BANK DEPOSITS</u>	<u>TOTAL PLEDGED SECURITIES AND FDIC INSURANCE</u>	<u>ADEQUATE/ [INADEQUATE] COVERAGE</u>	<u>COVERAGE</u>
BALDWIN STATE BANK	\$ 502,089.61	\$ 536,473.47	\$ 34,383.86	ADEQUATE
DOUGLAS COUNTY BANK	15,429.70	15,429.70	-	ADEQUATE
KANSAS STATE BANK	769,422.37	2,330,404.20	1,560,981.83	ADEQUATE
KAW VALLEY BANK	512,629.58	927,750.00	415,120.42	ADEQUATE
USBank	15,729,577.92	42,641,273.79	26,911,695.87	ADEQUATE



**DOUGLAS COUNTY**  
**SCHEDULE OF PLEDGED SECURITIES AND DEPOSIT INSURANCE**  
**August 31, 2002**

<u>BANK</u>	<u>TOTAL BANK DEPOSITS</u>	<u>TOTAL PLEDGED SECURITIES AND FDIC INSURANCE</u>	<u>ADEQUATE/ [INADEQUATE] COVERAGE</u>	<u>COVERAGE</u>
BALDWIN STATE BANK	\$ 501,918.71	\$ 637,161.47	\$ 135,242.76	ADEQUATE
DOUGLAS COUNTY BANK	3,462.46	3,462.46	-	ADEQUATE
KANSAS STATE BANK	7,035,619.18	8,592,816.21	1,557,197.03	ADEQUATE
KAW VALLEY BANK	513,212.18	841,180.18	327,968.00	ADEQUATE
USBank	3,356,735.69	18,228,882.70	14,872,147.01	ADEQUATE

DOUGLAS COUNTY INVESTMENT PORTFOLIO  
 SCHEDULE OF INVESTMENT ACTIVITY  
 DOUGLAS COUNTY INVESTMENT PORTFOLIO  
 08/31/02

INVESTMENT	BANK	ACCOUNT NUMBER	OPEN DATE	MATURITY DATE	TERM	INTEREST RATE	BALANCE 07/31/02	ADDITIONS	WITHDRAWALS	BALANCE 08/31/02	ESTIMATED INTEREST	DATE INTEREST PAID	YTD ACTUAL INTEREST PAID
Baldwin State													
Douglas County Bank													
CD	Kansas State	58371	11/09/01	01/22/02	74		-	-	-	-	0.00	01/16/02	31,019.18
		58484	01/23/02	05/16/02	113		-	-	-	-	0.00		
		58701	06/12/02	07/19/02	37	1.520%	2,000,000.00	-	2,000,000.00	-	0.00		
		58720	06/24/02	07/19/02	25	1.240%	7,000,000.00	-	7,000,000.00	-	0.00		
		58709	06/18/02	07/19/02	31	1.520%	3,000,000.00	-	3,000,000.00	-	0.00		
		58715	06/20/02	07/18/02	28	1.445%	4,000,000.00	-	4,000,000.00	-	0.00		
		58716	06/20/02	07/18/02	29	1.445%	3,000,000.00	-	3,000,000.00	-	0.00		
		58707	06/17/02	07/19/02	32	1.520%	3,000,000.00	-	3,000,000.00	-	0.00		
		58736	07/03/02	08/27/02	55	1.355%	744,389.99	-	744,389.99	-	0.00		
		58775	08/01/02	09/20/02	50	1.425%	5,000,000.00	-	5,000,000.00	-	0.00		
		58677	05/12/02	07/19/02	68	1.520%	7,000,000.00	-	7,000,000.00	-	0.00		
CD	Kaw Valley State	7844	12/03/01	12/02/02	364	2.500%	500,000.00	0.00	0.00	500,000.00	12,500.00		
Bonds	Muni Invest Pool	72-04	08/01/02	08/31/02	30	1.420%	3,008,761.57	3,648.01	8,761.57	3,003,648.01		monthly	34,370.33
Bonds	Muni Invest Pool	72-08	12/05/01	02/01/02	58	1.530%	0.00	0.00	0.00	-			
		72-05	08/01/02	10/31/02	91	1.680%	715,358.11	4,004,675.50	720,033.61	4,000,000.00			
		72-07	03/25/02	03/25/03	365	2.750%	2,000,000.00	0.00	0.00	2,000,000.00			
		72-06	01/30/02	08/01/02	183	2.110%	3,132,628.11	11,981.96	1,144,610.07	2,000,000.00			
Bonds	Muni Invest Pool	72-08	08/01/02	09/04/02	34	various	0.00	715,358.11	0.00	715,358.11		01/30/02	23,422.19
		72-09	08/01/02	09/20/02	50	various	0.00	2,000,000.00	0.00	2,000,000.00		07/02/02	8,896.44
		72-09	01/03/02	07/02/02	180	1.640%	1,108,896.44	8,896.44	1,108,896.44	-		07/02/02	5,661.37
		72-09	01/03/02	07/02/02	180	1.640%	705,661.37	5,661.37	705,661.37	-			
TOTAL							38,901,137.78	13,750,221.39	31,432,353.05	21,219,006.12	71.95		
											45.79		
												<u>103,369.51</u>	