

BYLAWS
LAND BANK BOARD OF TRUSTEES
MARION COUNTY, KANSAS

ARTICLE I

PURPOSE AND ORGANIZATION

The purpose of the Land Bank shall be to efficiently acquire, manage and transform vacant, abandoned, and tax-foreclosed property into productive use and in conformance with Kansas statutes and adopted resolutions of Marion County, Kansas. The Land Bank shall be governed by a Land Bank Board of Trustees (hereinafter referred to as "the Board"). As specified in the creating Resolution by Marion County, Kansas, the Board shall be made up of five (5) currently elected County Commissioners of Marion County, Kansas.

ARTICLE II

POWERS, DUTIES, AND RESPONSIBILITIES OF THE BOARD OF TRUSTEES

The Board shall have the powers and duties described in the applicable Kansas Statutes and as adopted by the Marion County Board of County Commissioners.

ARTICLE III

MEETINGS OF THE LAND BANK BOARD OF TRUSTEES

SECTION 1. At the first meeting of each calendar year, the Board shall by resolution establish regular meeting times and dates for the year. The Board shall hold at least 4 regular meetings during the year. Special meetings may be called by the Chair of the Board, or by a majority of the Board members. Meetings are subject to the requirements of the Kansas Open Meeting Act, K.S.A. 75-4317 et seq., and amendments thereto.

SECTION 2. Regular meetings of the Board shall be held the first Monday of each quarter at 11:30 a.m. in January, April, July, and October, in the Marion County Commission Chambers, unless otherwise specified.

SECTION 3. The Chairman of the Board, or his/her designee, shall prepare a notice of the meeting and an agenda of all matters to come before the meeting and provide the same in any manner reasonably designed to provide notice to Board members, including, but not limited to, U.S. mail, electronic mail, personal service, or facsimile no later than three (3) business days preceding the next regular meeting. Any member of the Board may cause matters to be placed on the agenda by advising the Chairman of the Board, or his/her designee, no later than noon (12:00 p.m.) six (6) business days preceding the next regular meeting.

SECTION 4. Special meetings may be called by the Board Chair or a majority of the Board members by giving written notice at least three (3) days in advance of said special meeting to all Board members. Every notice of any special meeting shall state the purpose or purposes for which the meeting has been called; and the business transacted at all special meetings shall be confined to the purpose stated on the meeting notice.

SECTION 5. The Chair may from time to time call for work session meetings in addition to regular meetings of the Board for the purpose of receiving information, hearing presentations, and discussing information, provided that no formal or informal action is taken. All such sessions are open to the public, shall be announced to the media, and no binding action will be taken.

SECTION 6. A quorum shall consist of a majority of the members of the Board. Business of the Board shall be conducted by majority vote of the members present once a quorum has been established. There must be quorum present before the Board may take any formal action but the Board may discuss items of business at a regular or special meeting in the absence of a quorum. No action of the Board shall be binding unless taken at a meeting at which at least a quorum is present.

SECTION 7. Members of the Board shall be subject to the provisions of the laws of the State of Kansas which relate to conflicts of interest of county officers and employees, including but not limited to, K.S.A. 75-4301 et seq., and amendments thereto. If an agenda item is being considered which represents the appearance of a conflict of interest for any member of the Board, that member shall declare a conflict of interest and not participate in the discussion or vote on that item. Such member will be considered present for quorum purposes, but absent from voting on that specific item.

SECTION 8. All meetings of the Board shall be conducted in accordance with the rules and procedures adopted by the Board.

ARTICLE IV

OFFICERS AND THEIR DUTIES

The officers will be annually selected by the Board of Trustees and shall be as follows:

Chair, who shall preside at all meetings of the Board and shall sign, execute, act, and deliver for the Board all documents of any kind required or authorized to be signed by the Board.

Vice-Chair, who, in the absence or disqualification or disability of the Chair, shall perform the duties of the Chair and act in place of the Chair, with the full power and authority which the Chair would have were the Chair present.

Secretary for the Board shall keep a complete record of all proceedings of the Board and shall perform such other duties as may be required by law or ordinance. The Secretary shall not have the right to vote or to perform any other function than provide administrative services.

Treasurer for the Board shall have the custody of the funds and shall keep full and accurate accounts of receipts and disbursements of the Land Bank, and shall deposit all monies and other valuables in the name and to the credit of the Land Bank into depositories designated by the Board and as required by K.S.A. 19-26,104 et seq. and K.S.A. 9-1401. The Treasurer shall disburse the funds of the Land Bank as ordered by the Board, and prepare financial statements each month or at such other intervals as the Board shall direct. The Treasurer shall perform such other duties and have such other authority and powers as the Board may from time to time prescribe. The Treasurer shall not have the right to vote or to perform any other function than provide administrative services.

ARTICLE V

RULES AND PROCEDURES

The Board shall adopt appropriate rules and procedures for the conduct of meetings and for the transaction of the Board's business. **All such rules and procedures shall, in adoption and administration, further the fair and equitable administration of the Land Bank's stated mission as it relates to County residents and potential buyers. The Land Bank is committed to not compete with qualified private purchasers in the acquisition of real estate in the normal course of business of the Land Bank. The Land Bank will, absent extraordinary circumstances, defer to qualified private party purchasers in all cases.**

ARTICLE VI

COMMITTEES

SECTION 1. There shall be no standing committees of the Board.

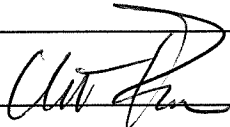
SECTION 2. With the consent of the Board, the Chair may appoint ad hoc committees for special study or review of an issue. The purpose of ad hoc committees shall be to make detailed investigations, studies, and recommendations to the Board. The Chair or Vice-Chair shall be an ex-officio member of all committees. Non-members of the Board may be added to the ad hoc committee by the Chair to provide specialized advice or expertise pertinent to the issue, including staff available to the Board of County Commissioners of Marion County, Kansas.

ARTICLE VII

AMENDMENTS TO BYLAWS

The Board may, by a majority vote, amend these bylaws or any provisions or sections thereof at any time when the same is not in conflict or contravention of any of the laws of the State of Kansas or resolutions of Marion County. Any bylaw amendment modifying the authority of the Board of Trustees may be subject to approval by the Marion County Board of County Commissioners. Notice of the proposed amendments shall be furnished by the Secretary to Board members not less than ten (10) days prior to the meeting at which said amendments are to be considered.

The above bylaws are hereby adopted as the Bylaws of the Land Bank Board of Trustees of Marion County, Kansas, this 3 day of January, 2022


_____, Chair
Kent Becker



Tina D. Spencer, Secretary