

(Published in the official county newspaper on the 22 day of  
November, 2010)

**RESOLUTION NO. 15 - 2010**

A RESOLUTION ESTABLISHING A COUNTY HUMAN RESOURCES DEPARTMENT AND SETTING FORTH GUIDELINES FOR ITS FORMATION AND OPERATION.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CHEROKEE COUNTY, KANSAS:

WHEREAS, the County in the form of its duly elected governing body has the authority under K.S.A. § 19-101 to determine its local affairs and government, and;

WHEREAS, the County in the form of its duly elected governing body has the authority under K.S.A. § 19-212 to exercise control over the County's financial matters, and;

WHEREAS, the Board of County Commissioners of a County has, pursuant to K.S.A. § 19-229, exclusive control of all expenditures the County accrues, and;

WHEREAS, the duty to prepare payroll is not expressly listed as a statutorily mandated duty of the County Clerk listed in the general powers conferred upon the office in K.S.A. § 19-301 et seq., and;

WHEREAS, the responsibility for payroll preparation is or was previously delegated to departments other than that of the County Clerk in Johnson, Miami, Sedgwick, Saline, Leavenworth, Lyon, Franklin, and Seward Counties, and the Unified Government of Wyandotte County, and;

WHEREAS, Cherokee County should create a Human Resources Department in Resolution 04-63, and;

WHEREAS, the Board finds that the interests of Cherokee County employees are best served when the majority of employee-related matters are handled by a Human Resources Department, the employees of which can receive concentrated training and experience in human resources issues;

WHEREAS, the Board finds that the creation of the Human Resources Department will eventually provide the County with an employee or employees more suitable to undertake the preparation of payroll than the office of the County Clerk, and;

WHEREAS, the Board finds that the preparation of payroll could be performed more efficiently and more effectively if handled by the Human Resources Department,

WHEREAS, Cherokee County desires its human resources administration to be as skilled and efficient as possible, and;

WHEREAS, a Human Resources Department staffed with individuals specifically trained in the increasingly vital and demanding field of human resources management will add greater efficiency and more services to the employees of Cherokee County and the citizens the employees serve; and

WHEREAS, the Board of County Commissioners of Cherokee County, Kansas, meeting in regular session, this 22nd day of November, 2010, does hereby resolve as follows:

**Section 1. Creation of Human Resources Department.** The Cherokee County Human Resources Department is hereby created.

**Section 2. Human Resources Department Duties.** The Human Resources Department shall forthwith conduct the following duties:

- A.) Under the direction of the Board of County Commissioners administer Cherokee County personnel rules;
- B.) Administer the County's Employee Benefits Plan;
- C.) Administer the County's Employee Health Insurance Plan;
- D.) Identify and conduct all necessary salary and benefits surveys;
- E.) Assist all departments with the hiring, disciplinary and termination process, understanding any limitations imposed by law with respect to elected officials' autonomy in these areas;

- F.) Provide information necessary to assist Cherokee County in the defense or prosecution of any litigation concerning personnel issues;
- G.) Provide information to County Department Heads to insure compliance with all applicable federal and state laws as these directly relate to personnel matters;
- H.) The Human Resources Department shall also undertake the responsibility of preparing the payroll of county employees. This duty shall include but not be limited to: the collection of time worked by employees, the preparation of all payroll checks or deposits, except that all signatures required by statute to be placed upon the checks shall still be required by the proper party, the preparation of all necessary payroll reports for outside agencies, the preparation of all necessary W-2 forms, the management of all taxable reimbursements, the contact for all outside agencies regarding, KPERS, Department of Labor, pensions, employee benefits, and shall have the responsibility for ensuring county compliance with all applicable state and federal regulations;
- I.) It shall be the duty of the Human Resources Department to prepare a statement each time a payroll is complete detailing the amounts to be paid in compensation by each department and the line items from which funds are to be taken. This information is to be presented to the County Treasurer for the purpose of allowing the Treasurer to perform any necessary function expressly stated in K.S.A. § 19-501 et seq.;
- J.) All departments are directed to fully cooperate with the Human Resources Department regarding the undertaking of these duties. This includes: the providing of all payroll files and records, access to all payroll history and computer files, and timely responses to all inquiries regarding payroll; and,
- K.) In the event the County is audited by the United States Department of Labor, the Internal Revenue Service, or the Kansas Department of Labor, or any other entity having jurisdiction over issues relevant to the County's payroll, the County Clerk will be responsible for complying with all payroll information requests for

records or methodologies prior to the effective date of this Resolution; and,

J.) Perform all other duties assigned by the County Commissioners.

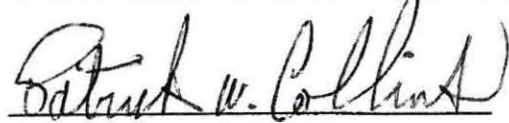
**Section 3. County Records.** All county records relating to personnel and personnel administration wherever held are to be provided to the Human Resources Department immediately upon request, unless such records are specifically authorized to be held by another department pursuant to Kansas statutes.

**Section 4. Cooperation.** All departments are to provide their full cooperation and support to the Human Resources Department.

**Section 5. Severability.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this resolution, or the application thereof to any circumstances, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this resolution.

**Section 6. Effective Date.** This resolution shall take effect and be in full force from and after its passage and publication once in the official county newspaper.

Adopted this 22nd day of November, 2010, by the BOARD OF COMMISSIONERS OF CHEROKEE COUNTY, KANSAS.



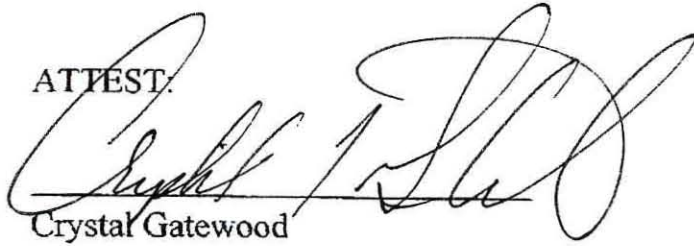
Patrick W. Collins  
County Commissioner



Richard J. Hilderbrand  
County Commissioner

  
Jack G. Garner  
County Commissioner

ATTEST.

A large, stylized handwritten signature in black ink, appearing to read 'Crystal Gatewood', written over a horizontal line.

Crystal Gatewood

County Clerk of Cherokee County,

Kansas

Resolution No. 15 - 2010

Prepared by:

Kevin Cure, Attorney