



The resolutions in this chapter and all other chapters, sections, and appendices shall constitute and be designated the "Code of Saline County, KS". The construction of this codebook was done for the convenience of users of the Code and shall have no legal effect. The resolutions used for the construction shall supersede and have legal effect. Reference Chapter 1: Overview of Codes for further details.

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ARTICLE 2-1 CRIME VICTIMS REPARATION FUND

The county shall maintain a separate fund entitled the crime victims reparations fund funded through diversion fees and monies from offenders to be used solely for the purpose of aiding county residents who are the victims of crime for out-of-pocket expenses that were not covered by insurance or other reimbursements.

(Res. No. 1265, 8-13-91)

ARTICLE 2-2 DEFENSE OF CIVIL CLAIMS

The county reimburses its officers and employees, and former officers and employees, for those damages and/or expenses and provide a defense for such civil claims, unless the same is covered or provided by the county's insurance carrier; provided, the officers, employees, former officers and employees comply with the provisions of K.S.A. 75-6116, as recorded in the minutes of the board of county commissioners.

(Res. No. 1250, 2-15-91)

ARTICLE 2-3 COUNTY ADMINISTRATOR

2-3.1 - OFFICE CREATED

There is hereby created the position of county administrator to provide administrative assistance to the board of county commissioners in the performance of its duties and responsibilities.

(Res. No. 1077, 7-29-86; Res. No. 94-1392, 5-3-94)



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2-3.2 - QUALIFICATIONS

The county administrator shall be chosen on the basis of administrative and executive ability, education, experience and knowledge of governmental operations, shall serve at the pleasure of the board of county commissioners and be appointed and removed only by a majority of the board. The administrator shall have administrative experience involving the management of resources and personnel; shall possess the ability to plan and execute work programs, including budgeting and the coordination of governmental functions; and shall possess a working knowledge of the functions and activities of local government.

(Res. No. 1077, 7-29-86; Res. No. 94-1392, § 1, 5-3-94)

2-3.3 - SALARY AND BENEFITS

The salary of the county administrator shall be fixed periodically by the board of county commissioners, and the administrator shall be entitled to all benefits conferred on other county employees, unless modified by a specific employment agreement entered into between the administrator and the board of county commissioners.

(Res. No. 1077, 7-29-86; Res. No. 94-1392, § 2, 5-3-94; Res. No. 25-2426 §, 6-3-25)

2-3.4 - DUTIES

The county administrator shall be the chief administrative officer of the county and shall have such duties as specified by the job description for the position, which shall be maintained by the human resource division and may be modified from time to time by action of the board of county commissioners, together with such other duties as may be provided within policies adopted by the board of county commissioners. Such duties shall at minimum include:

- A. Prepare, in conjunction with the chair of the board of county commissioners, an agenda for each meeting of the board of county commissioners;
- B. Attend meetings of the board of county commissioners and present proposed policies, programs and plans aimed at addressing overall county needs for review, revision, and approval by the board;
- C. Present an annual operating budget, capital improvements program and long-range strategic plan to the board of county commissioners;
- D. Recommend individuals to the board of county commissioners for appointment to offices for which Kansas statutes specifically identify the board as the appointing authority (county appraiser and county engineer). Evaluate and recommend compensation, suspension and dismissal of such officials;
- E. Subject to consultation with the board of county commissioners, hire, discipline and discharge from employment all other county department directors;
- F. Coordinate the administrative operations of county departments, offices of elected officials, and advisory bodies. Provide technical assistance to such departments, offices and bodies;
- G. Coordinate county programs and operations with other governmental and nongovernmental entities.

(Res. No. 1077, 7-29-86; Res. No. 93-1392, § 3, 5-3-94; Res. No. 01-1708, 8-28-01; Res. No. 25-2426 §, 6-3-25)



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ARTICLE 2-4 COUNTY COUNSELOR

The office of county counselor for the county is hereby established to be effective commencing January 1, 1985.

(Res. No. 1002, 8-28-84)

ARTICLE 2-5 CREMATION OR BURIAL OF UNCLAIMED BODIES

- a. The board of county commissioners hereby establishes the sum of \$1,000.00 as reasonable compensation for cremation or burial of unclaimed bodies, subject to the conditions:
 - 1. The deceased person must be a resident of Saline County, Kansas.
 - 2. The expenses of cremation or burial shall first be paid from the assets of the deceased person, including, but not limited to, any property found on the body.
- b. Notwithstanding the provisions of subsection (a) above-stated, the board of county commissioners of Saline County reserves the right to authorize the county counselor or contract attorney to commence estate proceedings in the name of the decedent, as the county would be a third party creditor under existing Kansas probate law.
- c. The Saline County Coroner will exercise due diligence in determining whether or not a corpse is an "unclaimed dead body," including, but not limited to, gathering the following information:
 - 1. Whether any spouse, child, next of kin, relative, friend, or insurance company has authorized the mortician or funeral home to take possession of the corpse; and/or
 - 2. Whether any obituary has been published in the local newspaper concerning this decedent and, if such exists, who provided information and/or paid for same; and/or
 - 3. Whether any non-law enforcement, non-medical personnel, non-coroner's personnel laid claim to or took possession of any money or property belonging to the decedent.

If any of the above factors has occurred, then there is a presumption that the corpse is not "an unclaimed dead body."

- d. In the event the coroner determines that he/she has an "unclaimed dead body" situation, then the coroner shall next determine the county of residence for the "unclaimed dead body." The "county of residence" will be determined by examining papers and documents belonging to the decedent and a Kansas driver's license should be considered determinative of "county of residence." In the event the "unclaimed dead body" is determined to be a resident of a county other than Saline, then such corpse shall be delivered by the Saline County Coroner to the coroner of the county of residence.
- e. This section shall not apply to deceased inmates in the custody of the Kansas Secretary of Corrections.

(Res. No. 11-2066, §§ 1—5, 12-6-11; Res. No. 11-2066 Amendment #1, 6-13-2023)



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ARTICLE 2-6 DESIGNATED NONMETROPOLITAN REGION

The Kansas Secretary of Commerce and Housing is hereby requested to acknowledge the North Central Regional Planning Commission as a qualifying regional economic development organization for the purpose of reapproving the county as a designated nonmetropolitan region.

(Res. No. 00-1660, 8-15-00)

ARTICLE 2-7 PLANNING BOARD

2.7.1 - APPLICABILITY OF STATE LAW

K.S.A. 19-2916b through 19-2921, are hereby adopted, and that the same hereby apply to the county, excepting incorporated cities of the county; provided, however, that zoning shall not apply to the use of land for agricultural purposes nor to the erection or maintenance of buildings thereon for agricultural purposes.

(Res. No. 64, 7-11-52)

2.7.2 - CREATED

There is hereby created a commission to be known as the Saline County Planning and Zoning Commission for the county, herein called the commission.

(Res. No. 64, 7-11-52)

2-7.3 - COMPOSITION

The commission shall consist of not less than five or more than nine members, who shall be residents of the county, and a majority of whom shall live outside of the corporate limits of any incorporated city in the county.

(Res. No. 64, 7-11-52; Res. No. 763, 4-11-77; Res. No. 93-1331, 5-4-93; Res. No. 1331, Amendment #1, 2-14-06)

2.7.4 - TERM

The members first appointed shall serve for terms of one year, two years, and three years; thereafter members shall be appointed to terms of three years.

(Res. No. 64, 7-11-52; Amend. 1254-41, 10-13-15; Amend. 1254-44, 4-11-17)

2.7.5 - VACANCIES

Vacancies on the commission shall be filled by appointment of the unexpired term.

(Res. No. 64, 7-11-52)



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2.7.6 - COMPENSATION

Members of the commission shall serve without compensation for their services.

(Res. No. 64, 7-11-52)

2.7.7 - POWERS AND DUTIES

The commission shall have those powers and duties as specified in K.S.A. 12-745, and amendments thereto, and as called out in commission bylaws.

2.7.8 - REMOVAL OF MEMBERS

The following shall apply to the removal of planning commission members:

- a. Members may be removed for inefficiency, incompetence, unprofessional conduct, continued absences, failure to perform duties or for other sufficient cause.
- b. Members may be removed at the discretion of the county commission if the county commission deems it to be in the best interest of the planning commission.

(Res. No. 03-1789, 4-1-03)

ARTICLE 2-8 RURAL FIRE DISTRICT BOARD OF TRUSTEES

In accordance with K.S.A. 19-101, et seq., and K.S.A. 19-3601, et seq., the board of county commissioners hereby adopts this policy requiring that all [members of the] county rural fire district board of trustees be comprised of active district firefighters as a majority of the board.

The board of county commissioners, in accordance with the policy being adopted herein, requires that all board of trustees members be required to attend annual training on topics of major importance related to firefighting and other areas of importance as determined by the board of county commissioners.

In order to implement said policy, vacancies established on the fire district board of trustees shall be filled with members sufficient to meet the requirements set forth herein.

Notice of Resolution No. 96-1496 shall be provided to all fire districts within the county. Said fire districts shall send verification of adoption of this resolution as a policy for the fire district board of trustees within 30 days upon receipt of said resolution.

In accordance with K.S.A. 19-3601, et seq., the board of county commissioners hereby delegates to the district board of trustees the power and authority as provided in the bylaws attached to Resolution No. 99-1594.



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The board of county commissioners, as the governing body of each fire district, hereby adopts and incorporates by reference the by-laws attached to Resolution No. 99-1594.

Said by-laws shall become effective January 1, 1999, and shall remain in full force and effect unless repealed by the board of county commissioners.

(Res. No. 96-1496, 10-22-96; Res. No. 99-1594, 1-5-99)

ARTICLE 2-9 EMERGENCY MANAGEMENT

2-9.1 - PURPOSE

The board of county commissioners is hereby authorized to establish a means for the governmental entities to recover through civil suit the recoverable expenses they incur in taking an emergency action. In order to facilitate the recovery of the damages, the provisions in this article shall be in effect.

(Res. No. 1195, 5-16-89)

2-9.2 - ESTABLISHMENT

There is hereby established in the county an emergency management agency for the purpose of assuming as the designated disaster agency, responsibility for coordinating the mitigation of, preparedness for, response to and recovery from disasters.

(Res. No. 96-1477, § 1, 5-7-96)

2-9-3 - RESPONSIBILITIES AND FUNCTIONS

- a. Coordination of response and recovery activities during and following a disaster emergency.
- b. Development and maintenance of a county hazard analysis.
- c. Development of a local emergency planning program and maintenance of an all-hazard emergency operations plan for the county.
- d. Implementation of a local technological hazards program which includes participation on the local emergency planning committee as provided for in K.S.A. 65-5703 and the development and coordination of a radiological protection system for the county.
- e. Development and maintenance of an active public education program, both through direct public presentations and contacts with the local news media.
- f. Development and coordination of a county emergency exercise program to test the capability of the county to implement the emergency operations plan.



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- g. Development and coordination of a county emergency management training program.
- h. Development and coordination of county hazard warning and notification systems.
- i. Coordination of all requests by the county for assistance from other jurisdictions and the state and federal governments during a disaster emergency.
- j. Identification of mitigation actions necessary within the county to prevent hazards or to lessen their impact.

(Res. No. 96-1477, § 4, 5-7-96)

2-9.4 - APPOINTMENT OF EMERGENCY MANAGEMENT DIRECTOR

- a. There is hereby created the position of emergency management director for the county.
- b. The emergency management director shall be appointed by the board of county commissioners to head the emergency management agency and to serve as the advisor to the board of county commissioners on all emergency management matters.
- c. The emergency management director is hereby delegated sufficient authority to effect coordination and accomplish all actions required incident to the functions and duties described herein.

(Res. No. 96-1477, § 3, 5-7-96)

2-9.5 - DISASTER ASSISTANCE

- a. In the event of a disaster when there is a request for assistance, if the county or the political subdivision therein can provide assistance without unduly jeopardizing the protection of its own community, that this section hereby authorizes the chair, board of county commissioners or his or her designee, to provide such assistance as may be required under authority granted in chapter 75 of the 1994 Session Laws of Kansas, with all the privileges and immunities provided therein.
- b. Any request for assistance hereunder shall include the name of the official initiating the request, a statement of the amount and type of equipment and number of personnel requested, and shall specify the location to which the equipment and personnel are to be dispatched, but the amount and type of equipment and number of personnel to be furnished shall be determined by the official in charge of the responding agency.
- c. The responding agency shall report to the official in charge of the requesting agency at the location to which the equipment is dispatched and shall be subject to the orders of that official, unless otherwise directed by the official or person in charge of the responding agency. The responding equipment remains the property of the responding agency and the responding personnel remain the employees of the responding agency and shall not be considered the equipment or employee personnel of the requesting agency. The supervision and control of the responding agency shall always be with the official or person in charge of the responding agency.



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- d. Each party waives all claims against the other party for compensation for any loss, damage, personal injury, or death occurring as a consequence of the performance of this section.
- e. No party shall be reimbursed by the other party for any costs incurred pursuant to this section.
- f. This section shall commence and be effective on the aforementioned date and shall remain in full force and effect unless repealed by the board of county commissioners.
- g. All parties in Resolution No. 96-1460 shall retain the right to return said party's personnel or equipment to their respective agency if said personnel or equipment is needed for protection of the responding agency or recalled by the official of such agency.
- h. Nothing in this section is intended to conflict or circumvent any existing interlocal agreement, any automatic aid, intergovernmental or mutual aid agreement, or any authority to enter into those in the future.
- i. It is the intent of this section to provide assistance in any form of service including, but not limited to, law enforcement, fire, EMS, public works, administrative and clerical during times of disaster as defined in chapter 75 of the 1994 Session Laws of Kansas, with all the privileges and immunities described therein.

(Res. No. 96-1460, §§ 1—9, 1-9-96)

2-9.6 - RESPONSIBILITIES AND POWERS OF COUNTY OFFICIALS

- a. The board of county commissioners having a disaster agency, shall notify the state division of emergency management of the manner in which the county is providing or securing disaster planning and emergency management. Any changes to this resolution shall be provided within ten working days to the state division of emergency management.
- b. The board of county commissioners shall appoint an emergency management director to take charge of the emergency management agency and shall notify the state division of emergency management within ten working days of any change of said appointment.
- c. The board of county commissioners shall provide for the establishment, staffing, operation and support of the emergency management agency. In addition to employing the emergency management director, such support shall, at a minimum, consist of the following:
 - 1. County-provided office space and clerical support sufficient to perform the required emergency management functions.
 - 2. County-provided transportation or reimbursement for private transportation used for official duties.
 - 3. County-provided portable radio, pager, cellular telephone or other communications arrangements for 24-hour-a-day notification of the emergency management agency.



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- 4. The designation of one or more persons to act as an alternate emergency management agency head when the director is not available.
- d. The chair of the board of county commissioners shall be responsible for the issuance of proclamations of local emergency as provided in K.S.A. 48-932.

(Res. No. 96-1477, § 2, 5-7-96)

~~2.9.7 - EMERGENCY TELEPHONE SERVICE FUND - REPEALED~~

- a. ~~*Fund establishment.* There shall be and hereby is created a special fund account to be designated the Saline County 911 fund. The fund shall be administered as authorized under this section for the purposes required or permitted under the Kansas 911 Act, as now existing or hereafter amended.~~
- b. ~~*Use of funds.* All monies received by Saline County derived from fees collected pursuant to the Kansas 911 Act shall be credited to and deposited in the Saline County 911 fund. The Saline County 911 fund shall be a separate fund from the existing funds known as the emergency 911 fund and wireless 911 fund, and monies shall not be comingled into or between those funds. Any and all interest earned or accrued on monies in the fund shall be retained in the fund. All monies in the fund shall be used only for purposes required or permitted under the Kansas 911 Act, as enacted or hereafter amended, but shall include uses pursuant to interlocal government agreements entered into with those cities in the county consistent with the Act.~~

(Res. No. 991, 5-8-84; Res. No. 87-1118, 8-27-91; Res. No. 87-1118-3, 1-19-93; Res. No. 87-1118-4, 10-12-93; Res. No. 98-1577, 8-25-98; Res. No. 87-1118-5, 10-10-95; Res. No. 87-1118-6, 10-10-96; Res. No. 87-1118-7, 9-24-96; Res. No. 87-1118-8, 9-30-97; Res. No. 99-1621, 9-21-99; Res. No. 00-1672, 10-3-00; Res. No. 01-1717, 10-30-01; Res. No. 02-1759, 8-20-02; Res. No. 03-1806, 8-26-03; Res. No. 07-1955, 9-11-07; Res. No. 11-2067, 12-13-11; Repealed Res. No. 25-2436, 9-23-25)

~~2-9.8 - SALINA-SALINE COUNTY 911 COMMITTEE - REPEALED~~

- a. ~~*Mission statement.* The 911 advisory committee will review projected use and expenditure of 911 funds, review the operation of the emergency communication system for Salina and Saline County, and make recommendations to maximize efficiency and effectiveness in meeting the needs of emergency telephone services.~~
- b. ~~*Members.* [The 911 advisory committee shall consist of the following members:]~~
 - 1. ~~Sheriff of Saline County;~~
 - 2. ~~Police chief of the City of Salina;~~
 - 3. ~~Fire chief of the City of Salina;~~
 - 4. ~~Director of emergency management;~~
 - 5. ~~Representative of rural fire districts;~~



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- ~~6. Director of computer technology department, City of Salina;~~
- ~~7. County administrator, ex-officio member~~
- ~~8. City manager representative.~~

~~c. Goals:~~

- ~~1. Review the current and future needs of the communications center and make appropriate recommendations.~~
- ~~2. Working with the police department and communications staff, determine the status of current frequencies and repeaters to handle daily traffic and traffic in multiple emergencies.~~
- ~~3. Study newest technology for equipment, which would minimize staffing positions and daily workload on communications center personnel.~~
- ~~4. Study possible sources of funding for new equipment, manpower and facilities. Make recommendation on how additional funding might be secured.~~
- ~~5. Submit a 911 budget and a five-year equipment improvement fund annually, based on prioritization of needs and timely replacement of existing equipment consistent with city/county budget schedules.~~
- ~~6. Summit [submit], on a 911 request for action form, all recommendations/reports for review by city manager and county administrator before scheduling any formal action before the county commission.~~
- ~~7. Meet as often as necessary but no less than twice a year as scheduled by county administrator upon request.~~
- ~~8. Purchases will be made pursuant to K.S.A. 12-5304~~

(Res. No. 02-1743, Exh. A, 5-2-02; Repealed Res. No. 25-2436, 9-23-25)

2-9.9 - LIABILITY

Any and all persons responsible for a release or threatened release which results in an emergency action shall be liable to the governmental entities for the recoverable expenses resulting from the emergency action.

(Res. No. 1195, § 2, 5-16-89)

2-9.10 - RECORD OF EXPENSES, CERTIFICATION; SUBMISSION OF ITEMIZED CLAIM

The staffs of the governmental entities involved in the emergency action shall keep a detailed record of its recoverable expenses resulting from the emergency action. Promptly after completion of the emergency action, the staffs shall certify those expenses to the appropriate legal counsel and shall request that legal counsel bring a civil action for recovery of the recoverable expenses against any and all persons responsible for the emergency



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action. If legal counsel should elect to file suit, then not less than 30 days before filing the civil suit, legal counsel shall submit a written, itemized claim for the total certified expenses incurred by the governmental entities for the emergency action to the responsible party and a written notice that, unless the amounts are paid in full to the respective governmental entities within 30 days after the date of mailing of the claim and notice, legal counsel will file a civil action for the stated amount. Moneys recovered under this article shall be credited to the appropriate funds of the governmental entity from which moneys were expended in performing the emergency action.

(Res. No. 1195, § 3, 5-16-89)

2-9.11 - ADDITIONAL REMEDIES

The remedy in this article shall be in addition to any other remedies the governmental entities have at law.

(Res. No. 1195, § 4, 5-16-89)

2-9.12 - AUTHORITY TO ACCEPT SERVICES, GIFTS, GRANTS AND LOANS

Whenever the federal government or any agency or officer thereof or person, firm or corporation shall offer through the state or directly to the county, services, equipment, supplies, materials or funds by way of gift, grant or loan, for purposes of emergency management, the county, acting through its chair of board of county commissioners or the board of county commissioners, may authorize any officer of the county, in coordination with the emergency management director, to receive such services, equipment, supplies, materials or funds on behalf of the county subject to the terms of the offer and the rules and regulations, if any, of the agency making the offer.

(Res. No. 96-1477, § 5, 5-7-96)

2-9.13 - DEFINITIONS

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Emergency action means all of the concerted activities conducted in order to prevent or mitigate injury to human health or the environment from a release or threatened release of any material into or upon the environment.

Governmental entities shall include the City of Salina, the county, the county emergency preparedness department, the Salina Airport Authority, rural fire districts, and any entity responding under a mutual aid agreement with the City of Salina.

Person shall include any individual, corporation, association, partnership, firm, trustee or legal representative.



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Recoverable expenses, in general, means those expenses that are reasonable, necessary and allocable to the emergency action. Recoverable expenses shall not include normal expenditures that are incurred in the course of providing what are traditionally local services and responsibilities, such as routine firefighting. Expenses allowable for recovery may include, but are not limited to:

1. Disposable materials and supplies acquired, consumed and expended specifically for the purpose of the emergency action.
2. Compensation of employees for the time and efforts devoted specifically to the emergency action that are not otherwise provided for in the governmental entity's operating budget.
3. Rental or leasing of equipment used specifically for the emergency action (e.g., protective equipment or clothing, scientific and technical equipment).
4. Replacement costs for equipment owned by the governmental entity that is contaminated beyond refuse or repair, if the governmental entity can demonstrate that the equipment was a total loss and that the loss occurred during the emergency action (e.g., self-contained breathing apparatus irretrievably contaminated during the response).
5. Decontamination of equipment contaminated during the response.
6. Special technical services specifically required for the response (e.g., costs associated with the time and efforts of technical experts/specialists not otherwise provided for by the governmental entity).
7. Other special services specifically required for the emergency action.
8. Laboratory costs for purposes of analyzing samples taken during the emergency action.
9. Any costs of cleanup, storage or disposal of the released material.
10. Costs associated with the services, supplies and equipment procured for a specific evacuation.
11. Medical expenses incurred as a result of response activities.
12. Legal expenses that may be incurred as a result of the emergency action, including efforts to recover expenses pursuant to this article.

Release means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into or upon the environment.

(Res. No. 1195, § 1, 5-16-89)