

**RESOLUTION 05-26  
OF THE BOARD OF COMMISSIONERS  
OF FRANKLIN COUNTY, KANSAS**

WHEREAS, Franklin County is a duly organized and empowered municipal government having home rule powers under K.S.A. 19-101 *et seq.*, and;

WHEREAS, Franklin County has passed resolution 05-21 authorizing the Human Resources Department to prepare the county's payroll, and;

WHEREAS, the Human Resources Department needs access to records being held by the County Clerk to perform the duties assigned to it by resolution, and;

WHEREAS, K.S.A. 19-208 and K.S.A. 19-212 as interpreted by the Kansas Attorney General in opinion number 1994-121 give the Board of County Commissioners the authority to view closed personnel records when official action is taken in an open meeting, and;

WHEREAS, the Board of Commissioners of Franklin County desire to appoint Commissioner Roy Dunn as its official representative to escort the personnel in the Human Resources Department to view all records necessary to conduct the County's payroll,

**NOW THEREFORE, BE IT RESOVLED BY THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, KANSAS,**

1. That Commissioner Roy Dunn is appointed as the official representative of the Board of Commissioners to escort the Human Resources Department personnel to view any and all records necessary to perform the County's payroll.
2. He is empowered and authorized to act on behalf of the Board in accessing and viewing personnel and payroll records and allowing the Human Resources Department to view and access the same records.
3. All County departments are instructed to give their full cooperation to Mr. Dunn and the Human Resources Department.
4. Any party who refuses to provide access to Mr. Dunn or the Human Resources Department shall be in violation of this resolution and may be charged with such violation in the District Court of the State of Kansas.
5. This Resolution is being adopted pursuant to County home-rule power and K.S.A. 19-101d. Violations of this Resolution by any person shall be punishable as a Class B Misdemeanor with penalties for each separate offense by a term of confinement in the Franklin County Jail not to exceed six months and/or a fine in an amount not to exceed One Thousand Dollars (\$1,000.00). Any person who aids, assists or abets another in violating the provisions of this Resolution will be deemed to have committed a violation of the Resolution.
6. As authorized by K.S.A. 19-101d, the County may request the court enjoin violations of this Resolution.

**This** resolution shall become effective upon publication in the official County newspaper.

Passed and approved this 9th day of March, 2005.

ATTEST:#9;    /s/ Donald E. Waymire 9;                      Donald E. Waymire, Vice Chairman

/s/ Shari Perry

Shari Perry, County Clerk