

RESOLUTION NO. 2005-28
COUNTY OF LINCOLN, STATE OF KANSAS

WHEREAS, the Board of County Commissioners, (Board) of LINCOLN COUNTY, KANSAS (County) has authority under the Kansas Municipal Group-Funded Pool Act, K.S.A. 12-2616, et seq., as amended, the Interlocal Cooperation Act, K.S.A. 12-2901, et seq., as amended, the Kansas Tort Claims Act, K.S.A. 75-6101, et seq., as amended, to participate in and form a county self-insurance pool for workers compensation coverage; and

WHEREAS, the Board has reviewed an agreement to cooperate with other counties to form such a self-insurance pool entitled By-Laws and Interlocal Cooperation Agreement for the Kansas Workers Risk Cooperative for Counties (KWORCC), a copy of which is attached hereto and incorporated by reference into this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE ABOVE STATED COUNTY THAT:

1. The Bylaws and Interlocal Cooperation Agreement for the Kansas Workers Risk Cooperative for Counties (KWORCC), a copy of which is attached hereto and incorporated by this reference into this Resolution is hereby approved.
2. The Chairman of the Board is hereby authorized and directed to sign the Agreement on behalf of the County.
3. Neither this Resolution nor the Agreement approved hereby is intended to nor does it waive, nor shall it be construed as waiving, any immunity or limitation on liability proved to the County, its officers or employees, by any law, including but not limited to any such immunity or limitation appearing in the Kansas Tort Claims Act or amendments thereto. Furthermore, neither this Resolution nor the Agreement is intended to, nor does it provide for coverage in excess of the limitation on liability within the Workers Compensation Act, K.S.A. 44-501 et seq. or amendments thereto.
4. The County understands and further by execution of this Resolution and the Agreement agrees that it will comply with the requirements of the Workers Compensation Act and amendments thereto and furthermore understands that in accordance with the BYLAWS AND INTERLOCAL COOPERATION AGREEMENT THAT THE INDIVIDUAL MEMBERS OF THE COOPERATIVE MAY BE SUBJECT TO ASSESSMENT.
5. One copy of this signed Agreement shall be mailed to the Administrator of KWORCC, along with a copy of this Resolution, one copy of the signed Agreement shall be filed with the County Register of Deeds, and one copy of the signed Agreement shall be filed with the Secretary of State of the State of Kansas.

The foregoing Resolution was adopted by a majority vote of the Board of County Commissioners of the above named County, State of Kansas on this 5th day of December, 2005.



ATTEST:

Lawn M. Harlow
County Clerk

[Signature]
CHAIRMAN
Board of County Commissioners
County of Lincoln, Kansas