

SEDGWICK COUNTY RESOLUTION NO. _____

**A RESOLUTION TO REQUEST THE ENACTMENT OF FEDERAL LEGISLATION
TO REMOVE FEDERAL RESTRICTIONS ON THE
USAGE AND TRANSFER OF LAKE AFTON PARK PROPERTY**

WHEREAS, the National Park Service (“NPS”) and Kansas State Parks Director have informed Sedgwick County that Lake Afton Park (including the real property containing the Judge James Riddel Boys Ranch) is subject to restrictions on use and transfer of the land that are contained within Section 6(f) of the Land and Water Conservation Fund (“LWCF”) Act; and

WHEREAS, the position of the NPS and the Kansas State Parks Director is based upon a 1966 project agreement between the State of Kansas and Sedgwick County for the construction of a single “comfort station” in the amount of \$7,122.50, which constituted roughly half of the construction costs of the comfort station; and

WHEREAS, it is uncertain whether the Board of County Commissioners, as it was comprised in 1966, understood that entering into the project agreement with the State of Kansas could cause the entire Lake Afton Park property to be subject to the aforementioned restrictions on use and transfer; and

WHEREAS, the restrictions imposed by Section 6(f) of the LWCF Act reduced the flexibility and options available for what could be done with the Judge Riddel Boys Ranch buildings, and such buildings will soon be demolished; and

WHEREAS, the Board of County Commissioners wishes to have any such restrictions on use and transfer of Lake Afton Park property lifted by the federal government through any means appropriate, including but not limited to federal legislative action to remove any Section 6(f) restrictions on the Lake Afton Park property.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF SEDGWICK COUNTY, THAT:**

SECTION 1.

In 1966, Sedgwick County reached the agreement with the State of Kansas to receive \$7,122.50 for the construction of a comfort station. At that time, Lake Afton Park was already a fully functioning, multi-use public park comprising nearly 800 acres of land. During the 1930s and 1940s, Sedgwick County purchased the land for the park. Subsequently, and prior to 1966, Sedgwick County constructed the lake and the dam, built other buildings (including those within the Judge Riddel Boys Ranch), and established roads and park amenities for the public’s usage.

SECTION 2.

Sedgwick County would assert that the funds paid towards the construction of a comfort station was merely a *de minimis* improvement, especially when the \$7,122.50 in grant funding is: (a) spread out over approximately 800 acres; (b) the result of an agreement from over half a century ago; and (c) compared alongside the investment and expense in actually developing the park.

SECTION 3.

The current application of Section 6(f) of the LWCF Act has led to the disproportionate and illogical result of a \$7,122.50 grant half a century in the past, which only applies to a small portion of the Lake Afton Park, restricting use and transfer options of Sedgwick County-owned land into perpetuity.

SECTION 4.

Due to the unique circumstances described above, Sedgwick County requests that federal legislation be enacted to specifically remove Lake Afton Park from the application of Section 6(f) of the LWCF Act.

SECTION 5.

This Resolution shall become effective upon its approval.

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Commissioners present and voting were:

DAVID M. UNRUH
MICHAEL B. O'DONNELL, II
DAVID T. DENNIS
RICHARD RANZAU
JAMES M. HOWELL

Dated this _____ day of _____, 2017.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS


ATTEST:

KELLY B. ARNOLD, County Clerk

DAVID M. UNRUH, Chairman
Commissioner, First District

MICHAEL B. O'DONNELL, II, Chair Pro Tem
Commissioner, Second District

APPROVED AS TO FORM:



JUSTIN M. WAGGONER,
Assistant County Counselor

DAVID T. DENNIS
Commissioner, Third District

RICHARD RANZAU
Commissioner, Fourth District

JAMES M. HOWELL
Commissioner, Fifth District