

ORDINANCE NO. 1845

AN ORDINANCE TO DISBAND AND DISSOLVE THE HERINGTON MUNICIPAL HOSPITAL BOARD OF TRUSTEES PURSUANT TO K.S.A. 14-604, *et seq.*; AND REPEALING ANY OTHER CURRENT ORDINANCES AND RELATED PROVISIONS OR PORTIONS THEREOF IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HERINGTON, KANSAS:

SECTION 1. HERINGTON MUNICIPAL HOSPITAL AND BOARD OF TRUSTEES. The City of Herington, Kansas, a city of the second class in the State of Kansas (hereinafter "**City**"), by the power vested in it currently by K.S.A. 14-604, et seq., has previously established an acute care municipal hospital operating pursuant K.S.A 14-604 et seq. and provider based Rural Health Clinics (collectively referred to as the "**Hospital**") with the main campus located at 100 E Helen St. Herington, Kansas 67449.

SECTION 2. MANAGEMENT. Management of the Hospital is controlled pursuant to K.S.A 14-604 et seq. by publicly elected Trustees and is governed by the Trustees for the purpose of providing health care services to the residents of the Hospital's service area, which includes residents of City, the Counties of Dickinson, Marion, and Morris, and the surrounding area (hereinafter collectively, the "**Service Area**");

SECTION 3. TRANSFER TO SUCCESSOR ENTITY. City and Trustees (hereinafter collectively, "**Transferors**") have elected to dissolve the relationship between City and Hospital, end the terms of the Trustees and transfer ownership, responsibility, and operation in all aspects of the Hospital to the successor entity, the Herington Hospital, Inc., (hereinafter "**HHI**"), a Kansas not for profit corporation, in order to enhance the availability of medical care to all residents of the Service Area and more effectively provide for the medically indigent of the Service Area, subject to the terms, conditions and covenants set forth in a Transition Of Services Agreement previously executed by Transferors and HHI.

SECTION 4. TRANSITION OF SERVICES AGREEMENT. Consistent with the mutual promises, covenants, agreements, undertakings, obligations and conditions hereinafter set forth in the Transition Of Services Agreement, the City, pursuant to K.S.A. 14-604 et. seq., desires to disband and dissolve the Herington Municipal Hospital Board of Trustees effective immediately and to absolve each currently serving Trustee of any further duty or obligation undertaken as a Trustee for such Board.

SECTION 5. HERINGTON MUNICIPAL HOSPITAL AND BOARD OF TRUSTEES DISSOLUTION. The Herington City Commission, pursuant to K.S.A. 14-604 et. seq. does hereby disband and dissolve, forthwith, the existing Herington Municipal Hospital Board of Trustees by approval and publication of this ordinance, as required by law.

SECTION 6. HERINGTON MUNICIPAL HOSPITAL ASSETS OF ALL KINDS AN CHARACTER. Upon dissolution of the Herington Municipal Hospital Board of Trustees, it is acknowledged that all ownership, responsibility, and operation of the former Herington Municipal Hospital, both as to assets and liabilities, of all kinds and character, have been transferred to and held by the successor entity, HHI.

SECTION 7. STATUTORY AUTHORITY. The provisions of this ordinance shall remain consistent with K.S.A. 14-604 et. seq. and amendments thereto.

SECTION 8. REPEAL. Other ordinances or portions thereof, not expressly identified herein, which are in conflict herewith are hereby repealed.

SECTION 9. PUBLICATION. This ordinance shall take effect and be in force from and after its publication once in the official newspaper of the City of Herington, Kansas.

PASSED AND APPROVED by the Governing Body of the City of Herington, Kansas this 19 day of October, 2021.

APPROVED AND SIGNED by the Mayor this 19th day of October, 2021.


Debi Urbanek, Mayor

ATTEST:


Megan Lawrenz, City Clerk

SEAL:

