

ORDINANCE NO. 07-23
2007 Series

AN ORDINANCE RELATED TO DISSOLVING MADISON COUNTY
SANITATION DISTRICT # 2 AND COMBINING ITS FACILITIES, DUTIES AND
RIGHTS WITH NORTHERN MADISON COUNTY SANITATION DISTRICT

WHEREAS, the Madison County Fiscal Court recognizes the need for a Sanitation District to provide for the efficient and effective collection, treatment and disposal of sewage and other liquid wastes in Madison County, Kentucky so as to prevent and correct the pollution of streams in the County and provide for the general public health, safety and welfare; and recognizes the necessity that such a special district be empowered to acquire and construct sanitation facilities conducive to the public health, safety, comfort, convenience or welfare.

WHEREAS, The Kentucky Revised Statutes (KRS), Chapter 67.715 (2) as enacted by the Kentucky General Assembly authorizes the County Judge/Executive, with the approval of the Fiscal Court, to create, abolish, or combine any county department or agency or transfer a function from one department or agency to another.

WHEREAS, the County Judge/Executive, with the approval of the Fiscal Court, has created in 1992 a special district and said special district shall be known as Madison County Sanitation District No. 2, which is structured consistent with the provisions of KRS Chapter 220.

WHEREAS, this special district provides collection, treatment and disposal of sewage and other liquids from an area of some 75-80 homes in the Executive Park Subdivision located on KY 2880, west of US 25 and south of the City of Richmond, Kentucky.

WHEREAS, this special district Facilities Planning Area, which is the subdivision plat for Executive Park, is totally within Madison County and is not encompassed within any other entities' Facilities Planning Area.

WHEREAS, the County has another special purpose district known as Northern Madison County Sanitation District, which is also structured consistent with the provisions of KRS Chapter 220, which also provides the same type of services in other areas of the county as close as within approximately one mile to this subdivision.

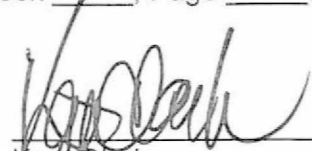
NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF MADISON, COMMONWEALTH OF KENTUCKY THAT:

In accordance with KRS Chapter 67.715 (2), the Madison County Fiscal Court grants its approval for the County Judge/executive to abolish said special district known as Madison County Sanitation District No. 2 and combine their facilities, duties, powers and services with those of Northern Madison County Sanitation District.

THIS ORDINANCE NO. 07-23 SHALL BECOME EFFECTIVE ON THE DATE OF THE SECOND READING AND ADOPTION.

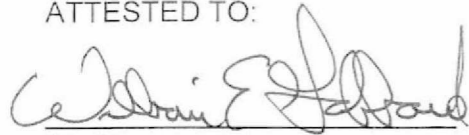
INTRODUCED, SECONDED AND GIVEN FIRST READING APPROVAL at a duly convened meeting of the Fiscal Court of Madison County, Kentucky held on the 10th day of October, 2007.

GIVEN SECOND READING AND ADOPTED at a duly convened meeting of the Fiscal Court of Madison County, Kentucky held on the 30th day of October, 2007, and of record in Fiscal Court Order Book _____, Page _____.



Kent Clark
MADISON COUNTY JUDGE/EXECUTIVE

ATTESTED TO:



Clerk

Resolution No. 10-07
2007 Series

RESOLUTION BY NORTHERN MADISON COUNTY SANITATION DISTRICT
BOARD OF COMMISSIONERS ACCEPTING THE
MERGER OF MADISON COUNTY SANITATION DISTRICT # 2
(EXECUTIVE PARK)
INTO THEIR SANITATION DISTRICT

WHEREAS, the Madison County Fiscal Court recognizes the need for a Sanitation District to provide for the efficient and effective collection, treatment and disposal of sewage and other liquid wastes in Madison County, Kentucky so as to prevent and correct the pollution of streams in the County and provide for the general public health, safety and welfare; and recognizes the necessity that such a special district be empowered to acquire and construct sanitation facilities conducive to the public health, safety, comfort, convenience or welfare.

WHEREAS, The Kentucky Revised Statutes (KRS), Chapter 67.715 (2) as enacted by the Kentucky General Assembly authorizes the County Judge/Executive, with the approval of the Fiscal Court, to create, abolish, or combine any county department or agency or transfer a function from one department or agency to another.

WHEREAS, the County Judge/Executive, with the approval of the Fiscal Court, has created in 1992 a special district and said special district known as Madison County Sanitation District No. 2, which is structured consistent with the provisions of KRS Chapter 220.

WHEREAS, this special district provides collection, treatment and disposal of sewage and other liquids from an area of some 75-80 homes in the Executive Park Subdivision located on KY 2880, west of US 25 and south of the City of Richmond, Kentucky.

WHEREAS, this special district Facilities Planning Area, which is the subdivision plat for Executive Park, is totally within Madison County and is not encompassed within any other entities' Facilities Planning Area.

WHEREAS, the County has another special purpose district known as Northern Madison County Sanitation District, which is also structured consistent with the provisions of KRS Chapter 220, which also provides the same type of services in other areas of the county as close as within approximately one mile to this subdivision.

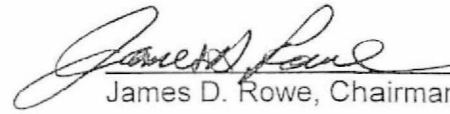
WHEREAS, the Board of Commissioners of the Northern Madison County Sanitation District agrees to accept all facilities and provide all of the services now provided by Madison County Sanitation District No. 2.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE NORTHERN MADISON COUNTY SANITATION DISTRICT OF MADISON, COUNTY, COMMONWEALTH OF KENTUCKY THAT:

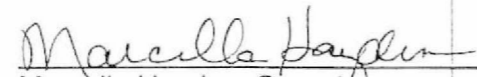
In accordance with KRS Chapter 67.715 (2), the Board of Commissioners of the Northern Madison County Sanitation District agrees to accept the Judge/Executive's

action, as a result of concurrence by the Madison County Fiscal Court, to abolish said special district known as Madison County Sanitation District No. 2 and combine their facilities, duties, powers and services with those of Northern Madison County Sanitation District.

This Resolution No. 10-07 passed this 2nd day of October, 2007 by the Northern Madison County Sanitation District Board of Directors.


James D. Rowe, Chairman of the Board


Eddie Garner, Commissioner


Marcella Hayden, Secretary

NORTHERN MADISON COUNTY SANITATION DISTRICT

P.O. BOX 674, RICHMOND, KY 40476-0067

PHONE (859) 626 -0431

November 8, 2007

Shafiq Amawi, Director
Facilities Construction Branch
Division of Water
Department for Environmental Protection
14 Reilly Road
Frankfort, KY 40601

RE: Merger of Madison County Sanitation District #2 into the Northern
Madison County Sanitation District

Dear Mr. Amawi;

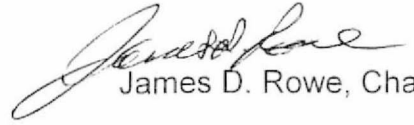
On behalf of the Board Members of the Northern Madison County Sanitation District (NMCSO) and as a follow-up to a conversation that our engineer, Ora Main at Nesbitt Engineers, Inc., had with Mr. Hossein Mehdipour of your office, I am providing the following documents for your information and concurrence;

1. This letter detailing the desire of NMCSO to acquire thru a merger the Madison County Sanitation District #2 (MCSO2). The accompanying Resolutions further delineate the justification and reasoning for this merger.
2. A Resolution passed by the NMCSO's Board indicating their desire to acquire thru merging the MCSO2 into the existing NMCSO.
3. An Ordinance passed by the Madison County Fiscal Court and signed by the Madison County Judge/Executive, Kent Clark, dissolving the MCSO2.
4. A map indicating the Planning/Service Area of the MCSO2 which will now become a part of NMCSO's Planning Area.

Both of these District's were created under KRS 220, which means neither one has to report to or file anything with the Kentucky Public Service Commission.

If I can provide any required additional information, please do not hesitate to contact me at your convenience.

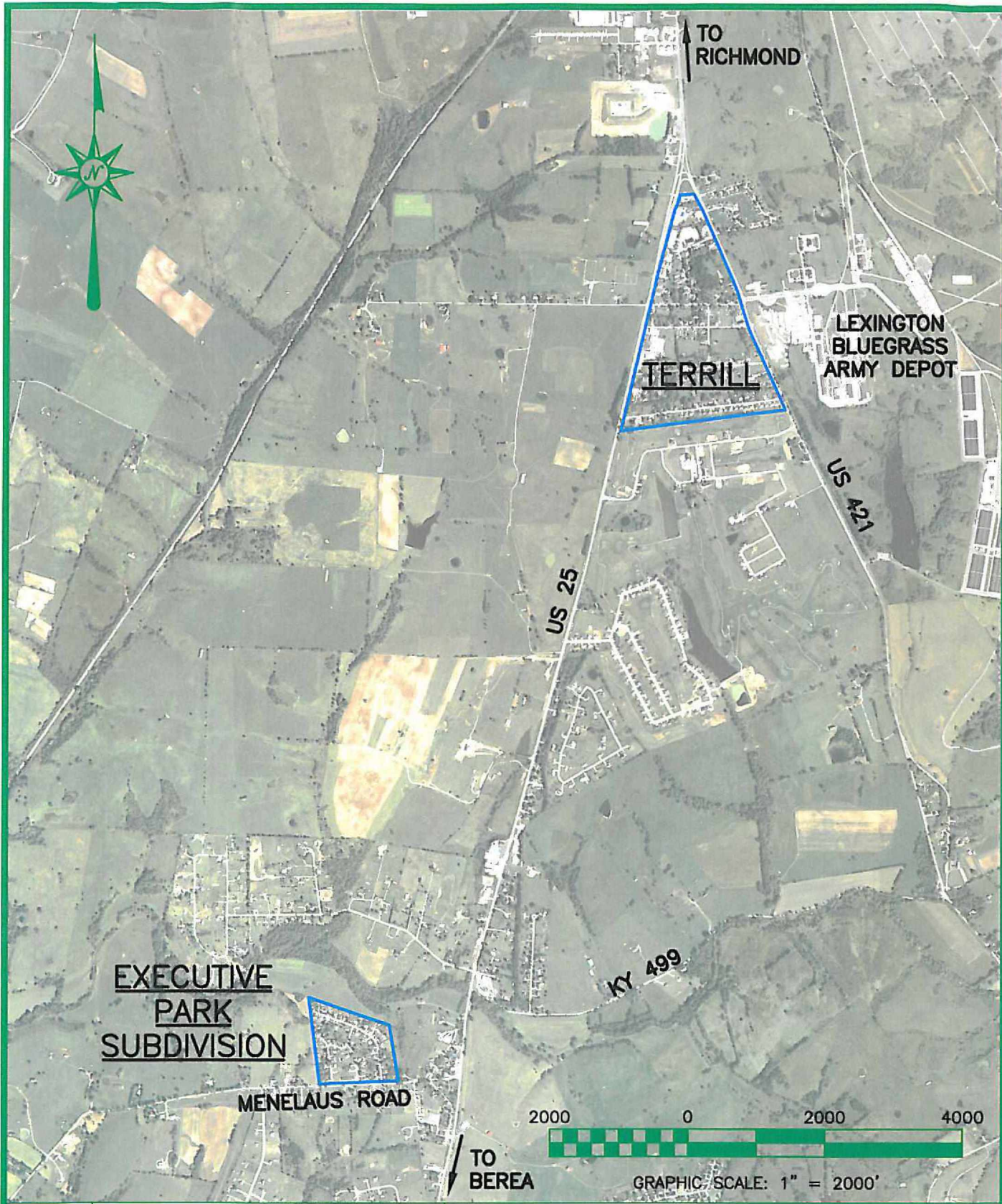
Sincerely yours,

A handwritten signature in cursive script, appearing to read "James D. Rowe".

James D. Rowe, Chairman



encl:

c: Kent Clark, Madison County Judge/Executive
Elliott Turner, Superintendent, NMCSD
Ora C. Main, NEI

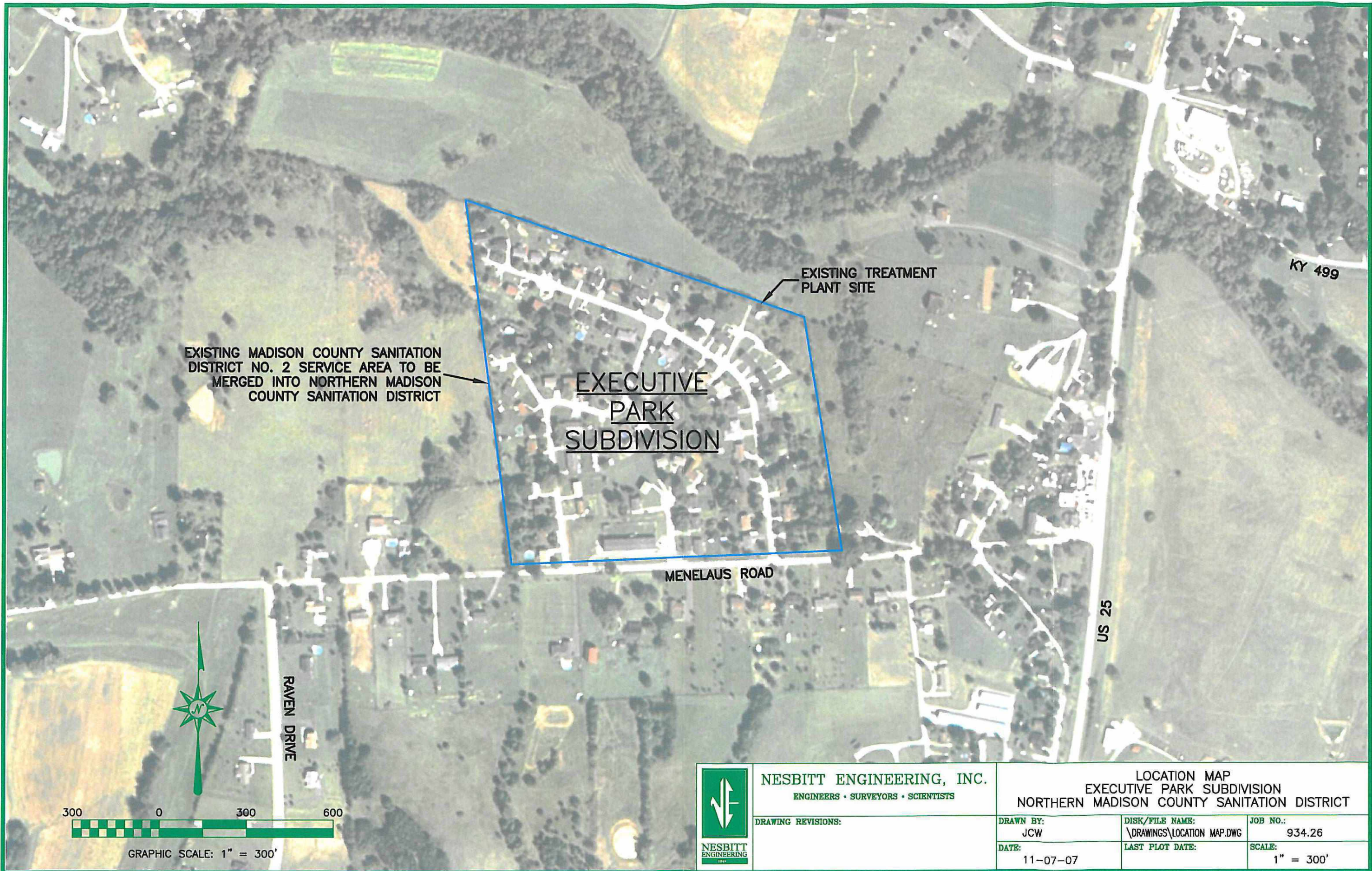


NESBITT ENGINEERING, INC.
ENGINEERS • SURVEYORS • SCIENTISTS

DRAWING REVISIONS:

VICINITY MAP SERVICE AREA MAP NORTHERN MADISON COUNTY SANITATION DISTRICT		
DRAWN BY: JCW	DISK/FILE NAME: \\DRAWINGS\LOCATION MAP.CWG	JOB NO.: 934.26
DATE: 11-07-07	LAST PLOT DATE:	SCALE: 1" = 2000'



NESBITT ENGINEERING, INC.
ENGINEERS • SURVEYORS • SCIENTISTS

DRAWING REVISIONS:

LOCATION MAP
EXECUTIVE PARK SUBDIVISION
NORTHERN MADISON COUNTY SANITATION DISTRICT

DRAWN BY:
JCW

DISK/FILE NAME:
\\DRAWINGS\LOCATION MAP.DWG

JOB NO.:
934.26

DATE:
11-07-07

LAST PLOT DATE:

SCALE:
1" = 300'



GRAPHIC SCALE: 1" = 300'