

G.K.  
F. SC

**AN ORDINANCE RELATING TO  
THE REAPPORTIONMENT OF  
MAGISTERIAL DISTRICTS  
FOR MADISON COUNTY, KENTUCKY**

**ORDINANCE # 11-** 12

WHEREAS, KRS 67.045 requires counties to initiate reapportionment proceedings in May of the year following the decennial census of the United States; and

WHEREAS, pursuant to that mandate, the Fiscal Court of Madison County published notice of the planned reapportionment and appointed three (3) competent citizens of Madison County along with the Madison County Clerk as a non-voting member to the reapportionment commission; and

WHEREAS, the Commissioners were properly charged and sworn to the faithful performance of their duties; and

WHEREAS, the Commissioners layed off the boundary lines of the magisterial districts and filed their written report showing the boundary of each magisterial district as recommended and the estimated population of each district; and

WHEREAS, the Madison County Fiscal Court has received the report and has found that the districts as reapportioned are as compact, contiguous and of equal population as possible with the additional change as shown on Attachment Number 2; and

WHEREAS, the Madison County Fiscal Court unanimously voted to approve the report of the Commissioners as presented as amended by the change as shown on Attachment Number 2.

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

1. That the four (4) magisterial districts of Madison County are hereby reapportioned as shown on the attached report of the reapportionment commissioners, along with the change as is reflected on Attachment Number 2.

THIS ORDINANCE NO. 11- 12 SHALL BECOME EFFECTIVE ON THE DATE OF THE SECOND READING AND ADOPTION.

INTRODUCED, SECONDED AND <sup>51</sup>GIVEN FIRST READING APPROVAL at a duly convened meeting of the Fiscal Court of Madison County, Kentucky held on the 23<sup>rd</sup> day of August, 2011.

GIVEN SECOND READING AND ADOPTED at a duly convened meeting of the Fiscal Court of Madison County, Kentucky, held on the 6<sup>th</sup> day of September, 2011, and of record in Fiscal Court Order Book \_\_\_\_\_, Page \_\_\_\_\_.

DATE ADOPTED: September 6, 2011  
MOTION BY: Billy Ray Hughes  
SECONDED BY: Greg King

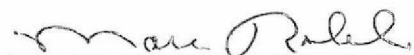
VOTE:	YES	NO
Magistrate Larry Combs	_____	<u>✓</u>
Magistrate Roger Barger	<u>✓</u>	_____
Magistrate Billy Ray Hughes	<u>✓</u>	_____
Magistrate Greg King	<u>✓</u>	_____
Judge Kent Clark	<u>✓</u>	_____

[Signature]  
MADISON COUNTY JUDGE/ EXECUTIVE

Attest:

[Signature]  
Madison County Clerk

PREPARED BY:

A handwritten signature in cursive script, appearing to read "Marc Robbins", is written above a horizontal line.

Marc Robbins  
Madison County Attorney  
135 West Irvine Street, Suite 202  
Richmond, Kentucky 40475  
(859) 623-4777

## 2011 Reapportionment Board Proposal

The Madison County 2011 Reapportionment Board, consisting of voting members Ed Daugherty, Ronnie Terrill, Dave Gerrein and non-voting member County Clerk Kenny Barger, completed their statutory obligation to review the magisterial boundaries in accordance with KRS 67.045. Please note: All references regarding residents are based on 2010 census data.

The proposed changes to the Madison County magisterial boundaries are:

- 1. Move the residents from north of the centerline of South Poplar Street in a westerly direction to the intersection of West Kentucky Avenue. Including the residents to the north of South Poplar Street including residents on both sides of the street on West Kentucky Avenue, west Blair Avenue, Rosedale Avenue and Letcher Avenue, currently located in the Rosedale precinct (District 2 represented by Magistrate Roger Barger) to the Watertower precinct (District 3 represented by Magistrate Billy Ray Hughes). See attachment: Rosedale**

Rationale: This move impacts 103 people. That is the minimum number of people needed to be moved to fulfill the population requirement set forth by the Office of the Attorney General Department for Local Government.

- 2. Move the precinct of Mayde from District 4 (represented by Magistrate Greg King) to District 1 (represented by Magistrate Larry Combs). See attachment: Mayde Precinct\***

\*Please note: The GIS map created for use by the Madison County Board of Elections incorrectly reflects the precinct of Mayde residing in District 1. The Office of the County Clerk confirms that all voters voted correctly in Magisterial District 4. The State Board of Elections and the Legislative Research Commission advised the Madison County Clerk's Office to not modify the current layout of the map due to the fact that all magisterial and precinct lines are currently frozen.

Rationale: This move impacts 38 people. In discussions with the State Board of Elections, this technical change enables the Madison County Board of Elections to include this precinct in their review of cost saving measures for the county.

- 3. Move Summerfield Ct., currently located in District 4 (represented by Magistrate Greg King) to District 2 (represented by Magistrate Roger Barger). See attachment: Summerfield Ct.**

Rationale: This move impacts 31 people. The number of people does not impact the population estimates due to location in the census block. This is a technical change to straighten the boundary line on Lancaster Road that once was a carve out due to the fact the property was in Madison County. This property was annexed into the City of Richmond.

- 4. Move the carve out on Barnes Mill Road and the carve out on Goggins Lane (formally Madison County property now annexed into the City of Richmond) from District 4 (represented by**

**Magistrate Greg King) to District 2 (represented by Magistrate Roger Barger). Richmond Centre-Small Area Cleanup**

Rationale: This move impacts 0 people. This is a technical change to straighten the boundary line on Barnes Mill Road and Goggins Lane that once were carve outs due to the fact the property was in Madison County. This property was annexed into the City of Richmond.

5. **Move the carve out (formally Madison County property now annexed into the City of Richmond) from District 4 (represented by Magistrate Greg King) to District 2 (represented by Magistrate Roger Barger). See attachment: Richmond Centre-V Shape Commercial**

Rationale: This move impacts 0 people. This is a technical change to straighten the boundary line contiguous with Richmond Center. This was once carved out due to the fact the property was in Madison County. This property was annexed into the City of Richmond.

6. **Move the boundary line on Catalpa Loop from Reba Drive moving westerly to Irvine Road (US 52). This will move the land from District 4 (represented by Magistrate Greg King) to District 3 (represented by Magistrate Billy Ray Hughes). See attachment: Catalpa Loop**

Rationale: This move impacts 0 people. This is a technical change to straighten the boundary line that is currently a property line. This was once carved out due to the fact the property was on a county/city boundary. Due to technology changes, the Board of Elections can code any split precincts.

7. **Move the boundary line for the precincts of Brassfield Bearwallow and Bobtown-Redlick from an airline to the ridgeline. This will move the line from District 3 (represented by Magistrate Billy Ray Hughes) to District 1 (represented by Magistrate Larry Combs). See attachment: Dreyfus Ridgeline Cut**

Rationale: This move impacts 3 people. This is a technical change to straighten the boundary line that is currently an airline. The State Board of Elections and the Legislative Research Committee encourage counties to minimize the use of air and property lines when it can be avoided.

Based on the above mentioned changes, the estimated population per district is:

<b>District</b>	<b>Estimated Population</b>
District 1 (represented by Magistrate Larry Combs)	19,942
District 2 (represented by Magistrate Roger Barger)	21,618
District 3 (represented by Magistrate Billy Ray Hughes)	19,708
District 4 (represented by Magistrate Greg King)	21,645

ATTACHMENT 2

Changes made by the Madison County Fiscal Court in addition to the Reapportionment Proposal:

**Move the current airline dividing Redhouse Precinct and South Whitehall-Daniel Boone Precinct from District 2 (represented by Magistrate Roger Barger) to District 3 (represented by Billy Ray Hughes). (See attachment Lost Fork Rd.)**

Based on the Reapportionment Board proposal and the Lost Fork Road Boundary change, the estimated population per district is:

District	Estimated Population
District 1 (represented by Magistrate Larry Combs)	19,942
District 2 (represented by Magistrate Roger Barger)	21,609
District 3 (represented by Magistrate Billy Ray Hughes)	19,719
District 4 (represented by Magistrate Greg King)	21,645

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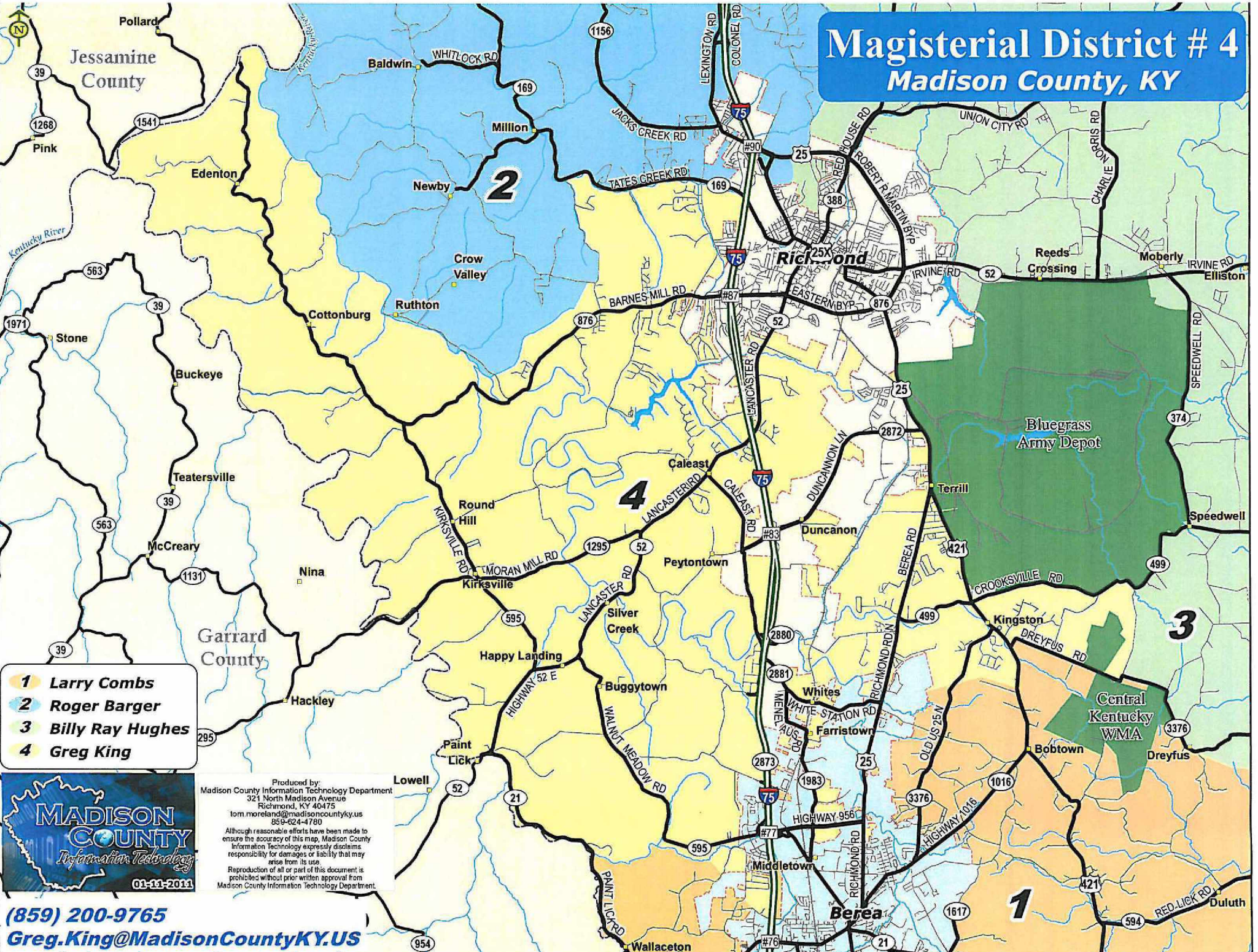
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District 3 (represented by Magistrate Billy Ray Hughes)	19,708
District 4 (represented by Magistrate Greg King)	21,645

# Magisterial District # 4 Madison County, KY



- 1** Larry Combs
- 2** Roger Barger
- 3** Billy Ray Hughes
- 4** Greg King



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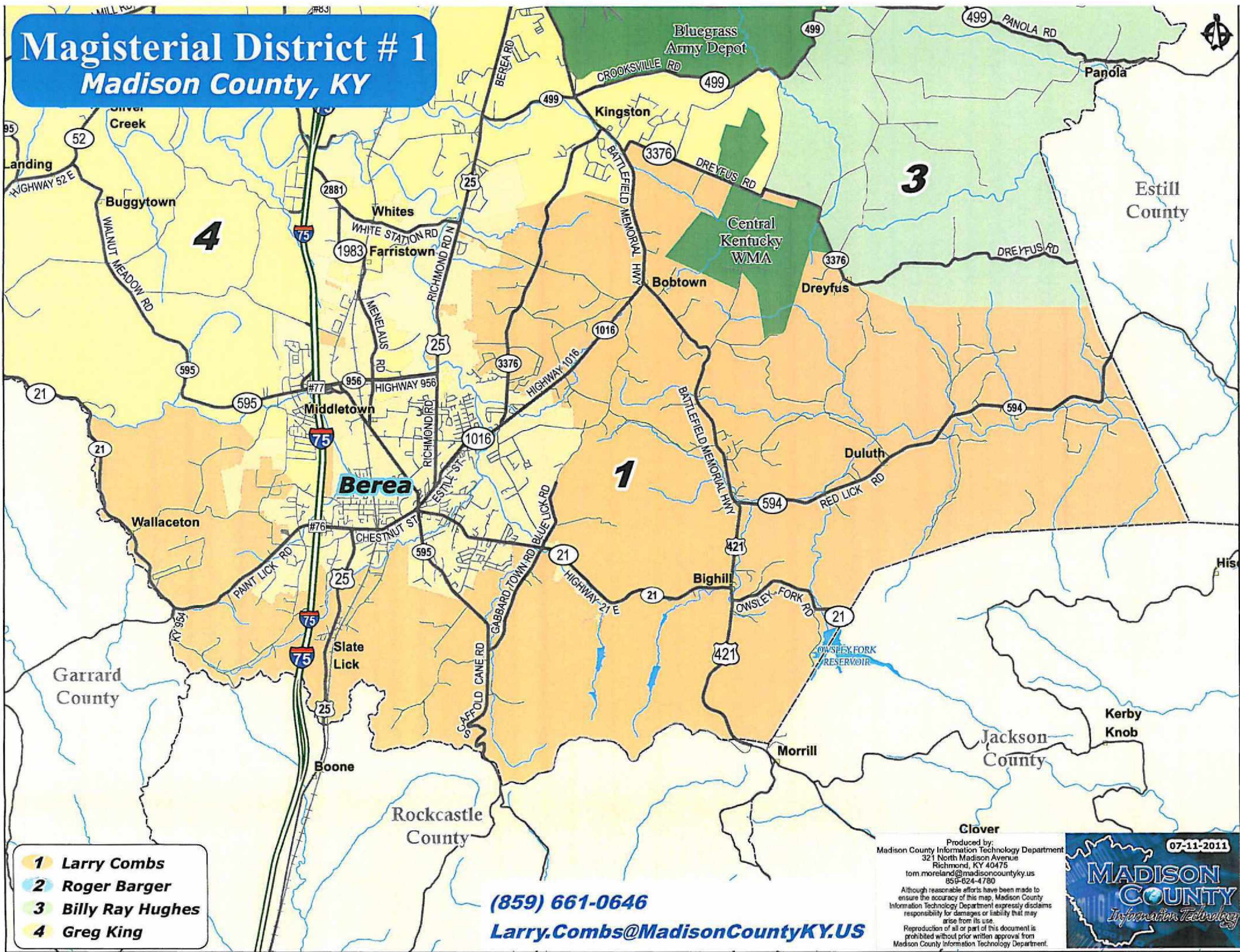
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**(859) 200-9765**  
**Greg.King@MadisonCountyKY.US**

# Magisterial District # 1

## Madison County, KY



- 1** Larry Combs
- 2** Roger Barger
- 3** Billy Ray Hughes
- 4** Greg King

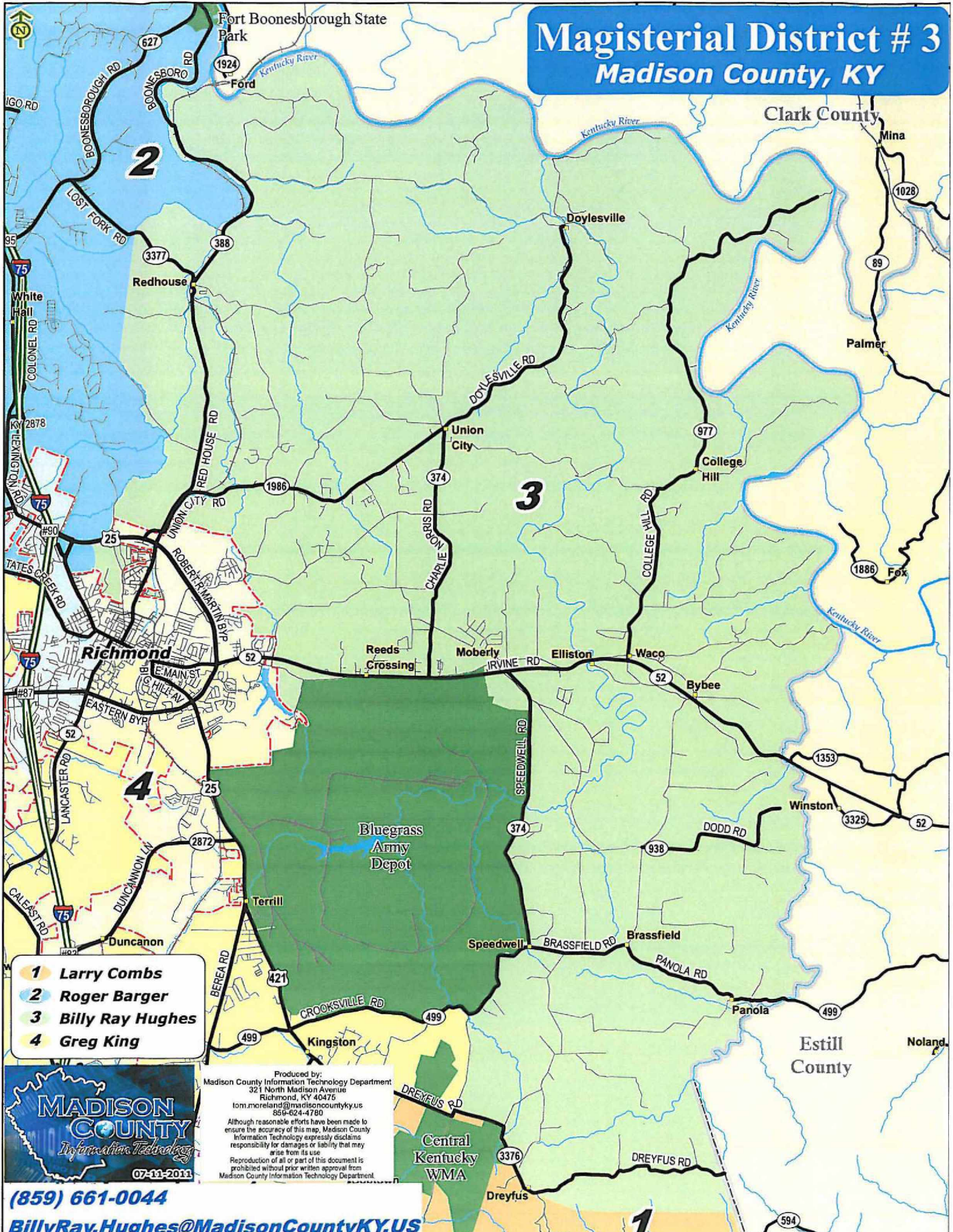
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**Larry.Combs@MadisonCountyKY.US**

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# Magisterial District # 3 Madison County, KY



- 1** Larry Combs
- 2** Roger Barger
- 3** Billy Ray Hughes
- 4** Greg King



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**BillyRay.Hughes@MadisonCountyKY.US**

**1**

**Reapportionment Deviation Calculator**

Enter data in the green boxes only

Number of Districts   
 Total Population

Districts	Population	Percentage of Total	Percent Deviation from Ideal
Smallest District #3	19,708	23.77%	-4.92%
Second Smallest District #1	19,942	24.05%	-3.79%
Third Smallest District #4	21,618	26.07%	4.29%
Largest District #2	21,645	26.11%	4.42%
<b>Total</b>	<b>82,913</b>	<b>100.00%</b>	

Population Total Check (B3 = B14):   
 Ideal district size (rounded)   
 Percent deviation between largest and   
**Ten Percent Test**

**67.045 District boundaries -- Reapportionment -- Procedure.**

- (1) For the purposes of this section the word "district" shall mean:
  - (a) Justice's of the peace district in counties having a fiscal court composed of the county judge/executive and the justices of the peace;
  - (b) County commissioner's district in counties having a fiscal court composed of the county judge/executive and three (3) county commissioners; or
  - (c) Justice's of the peace district in counties having a fiscal court composed of the county judge/executive and three (3) county commissioners established according to KRS 67.060.
- (2) In counties where the members of the county fiscal court are nominated or elected by districts, the boundaries of those districts shall be drawn so that the districts are compact, contiguous, and the population of each district shall be as nearly equal as is reasonably possible.
- (3) In counties where the fiscal court consists of the county judge/executive and three (3) county commissioners established according to KRS 67.060, the justice of the peace districts shall be coextensive with the three (3) county commissioner districts.
- (4) The fiscal court shall initiate reapportionment proceedings in May of the first year following the decennial census of the United States. The fiscal court may, at other times, review the district boundaries and shall initiate reapportionment proceedings if the district boundaries are in violation of subsection (2) of this section.
- (5) To initiate a reapportionment proceeding, the fiscal court shall publish notice of the planned reapportionment in accordance with KRS Chapter 424 and appoint three (3) competent citizens of the county over twenty-one (21) years of age, and residing in different districts, and the county clerk as a nonvoting member as commissioners to reapportion the county into not less than three (3) nor more than eight (8) justices' districts in counties having a fiscal court composed of the county judge/executive and the justices of the peace or three (3) commissioner's districts in counties having a fiscal court composed of the county judge/executive and county commissioners. The commissioners, before they proceed to act, shall be sworn to faithfully perform their duties. They shall receive out of the county treasury a reasonable compensation for their services, fixed by the fiscal court.
- (6) The commissioners shall, within sixty (60) days after their appointment, lay off the boundary lines of the districts. They shall file in the office of the county clerk and with each member of the fiscal court a written report, showing the boundary of each district and the estimated population in each. Within sixty (60) days of the receipt of the report, the fiscal court shall consider the report of the commissioners and, in accordance with the provisions of KRS 67.075 to 67.077, adopt or amend the report in establishing the districts. In no event shall districts be reapportioned during the period from thirty (30) days prior to the last date for filing for candidacy for county office as provided in KRS 118.165 and the regular election for candidates for county office.
- (7) Precinct lines shall be redrawn when necessary in accordance with the provisions of KRS 117.055. No precinct shall be in more than one (1) district.

- (8) Within twenty (20) days of the establishment of the districts by the fiscal court, any registered voter of the county may bring an action in the Circuit Court to enforce the provisions of this section. The Circuit Court shall hear the action and, on a finding that the fiscal court has violated the provisions of this section, remand the matter to the fiscal court. The Circuit Court, in its discretion, may allow the prevailing party, other than the fiscal court, a reasonable attorney's fee, to be paid from the county treasury, as part of the costs.

**Effective:** July 14, 2000

**History:** Amended 2000 Ky. Acts ch. 354, sec. 5, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 390, sec. 1, effective July 15, 1998. -- Amended 1982 Ky. Acts ch. 29, sec. 1, effective July 15, 1982. -- Created 1978 Ky. Acts ch. 201, sec. 1, effective March 30, 1978.

**67.075 Definitions.**

For the purposes of this chapter, the following words shall have the following meanings:

- (1) "County ordinance" means (a) an official written act of a fiscal court, the effect of which is general and lasting in nature, which is enforceable within the jurisdiction of the county; or (b) a lawful appropriation of money.
- (2) "Summary" means a concise written narrative covering the main points of any official statement, certified as to its accuracy by the fiscal court and written in a way calculated to inform the public clearly of its contents. Summaries may be written for but are not limited to resolutions and ordinances.

**Effective:** June 17, 1978

**History:** Created 1978 Ky. Acts ch. 118, sec. 1, effective June 17, 1978.

**67.077 Treatment of proposed ordinance -- Incorporation of material into ordinance by reference -- Section not applicable to charter county, urban-county government, or consolidated local government.**

- (1) No county ordinance shall be passed until it has been read on two (2) separate days, but ordinances may be read by title and a summary only. A proposed ordinance may be amended by the fiscal court after its first reading and prior to its adoption. All amendments shall be proposed in writing, and only by setting out in full each amended section.
- (2) No county ordinance shall be passed until it has been published pursuant to KRS Chapter 424. Prior to passage, ordinances may be published by summary. Publication shall include the time, date, and place at which the county ordinance will be considered, and a place within the county where a copy of the full text of the proposed ordinance is available for public inspection. Publication of amendments to a proposed ordinance shall be required, pursuant to KRS Chapter 424, prior to its adoption, and amendments shall be filed with the full text of the proposed ordinance that is available for public inspection. If consideration for passage is continued from the initial meeting to a subsequent date, no further publication shall be necessary if at each meeting the time, date, and place of the next meeting are announced.
- (3) All county ordinances and amendments shall be published after passage and may be published in full or in summary form at the discretion of the fiscal court. If applicable, a sketch, drawing, or map, together with a narrative description written in layman's terms, may be used in lieu of metes and bounds descriptions. If published in summary form, publication shall contain notice of a place in the county where the full text of the ordinance or amendment is available for public inspection.
- (4) Traffic, building, housing, plumbing, electrical, safety, and other self-contained codes may be adopted by reference if a copy of the code is kept with the adopting ordinance and is made a part of the permanent records of the county.
- (5) The provisions of this section shall not be applicable in counties that have pursuant to KRS 67.830 adopted a charter county form of government or pursuant to KRS Chapter 67A adopted an urban-county form of government or pursuant to KRS Chapter 67C adopted a consolidated local government.

**Effective:** July 15, 2002

**History:** Amended 2002 Ky. Acts ch. 346, sec. 39, effective July 15, 2002. -- Amended 1990 Ky. Acts ch. 401, sec. 12, effective July 13, 1990. -- Amended 1980 Ky. Acts ch. 11, sec. 1, effective July 15, 1980. -- Created 1978 Ky. Acts ch. 118, sec. 5, effective June 17, 1978.

# ROSEDALE Precinct



Area cut from Magisterial District #2, placed in Magisterial District #3. Cut along streets & Census block boundary to meet State reapportionment requirements. 2010 Population: 103.


MagDist# 2

Precinct# 3A NORTH RICHMOND-ARLINGTON

Precinct# 3 WATER TOWER

MagDist# 3

Precinct# 5 ROSEDALE

-  Magisterial District Boundary
-  City Limits
-  State Representative Boundary





County Jurisdiction

**MAYDE Precinct**

Board proposes moving MAYDE Precinct from Magisterial District #4 to Magisterial District #1. 2010 Census population: 38.

Precinct# 24

County Jurisdiction

**MagDist# 4**

State Rep Dist# 081

Precinct# 40

State Rep Dist# 036

**MagDist# 1**

County Jurisdiction

Berea City Limits

LEGACY DR

GARDEN GATED DR

KIDD DR

EWOOD DR

PEGGY FLATS RD

PEGGY FLATS RD

MAYDE SPUR RD

MAYDE RD

UNNAMED RD




MAYDE RD

UNNAMED RD

UNNAMED RD

UNNAMED RD

MAYDE RD




-  Magisterial District Boundary
-  City Limits
-  State Representative Boundary



**SUMMERFIELD CT**



Area around SUMMERVILLE CT moved from Magisterial District #4 to Magisterial District #2. Approximate population: 31.

-  Magisterial District Boundary
-  City Limits
-  State Representative Boundary

# Richmond Centre- Small Area Cleanup

Precinct#  
29 NORTH  
CRUTCHER

Cut these small areas along Richmond City Limits, move from Magisterial District #4 to Magisterial District #2. All Commercial, no population.

Richmond City Limits

Precinct#  
34 WEST  
RICHMOND


MagDist# 2

Precinct#  
29A SOUTH  
CRUTCHER

Precinct#  
34A  
KILLARNEY

Precinct#  
38 DEACON  
HILLS

MagDist# 4

-  Magisterial District Boundary
-  City Limits
-  State Representative Boundary



# Richmond Centre- V Shape Commercial

"V" shaped area in Richmond Centre moved from Magisterial District #4 to District #2. Cut along Richmond City Limits. All Commercial; no population change.




MagDist# 4

Precinct# 29 NORTH CRUTCHER

Precinct# 34 WEST RICHMOND

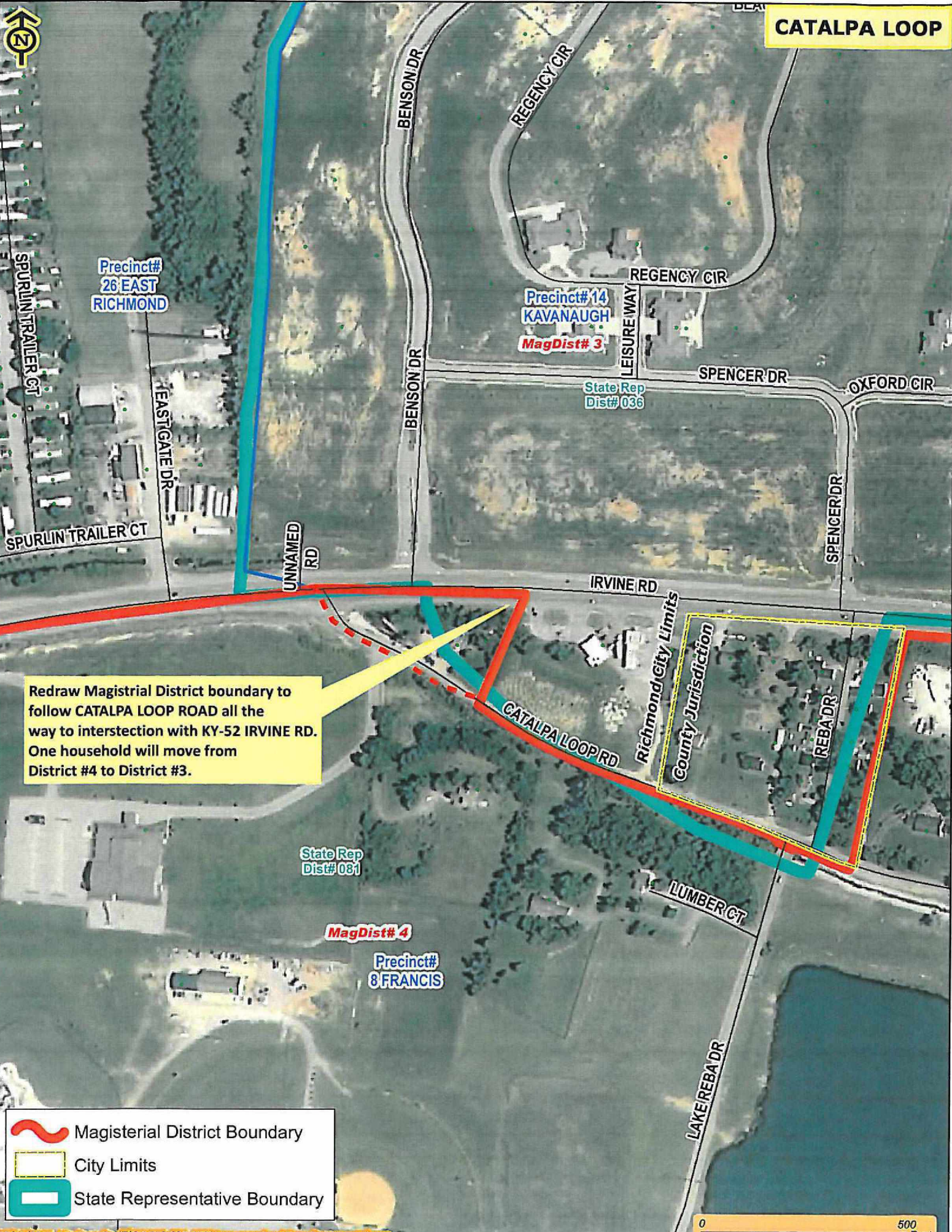
MagDist# 2

Precinct# 34A KILLARNEY



-  Magisterial District Boundary
-  City Limits
-  State Representative Boundary



# CATALPA LOOP



Redraw Magisterial District boundary to follow CATALPA LOOP ROAD all the way to interstecstion with KY-52 IRVINE RD. One household will move from District #4 to District #3.

-  Magisterial District Boundary
-  City Limits
-  State Representative Boundary



# Dreyfus Ridgeline Cut

**MagDist# 3**




**Precinct# 17  
BRASSFIELD  
BEARWALLOW**

Area cut from Magisterial District #3,  
placed in Magisterial District #1.  
Cut along ridge to correct old air-line  
boundary. 2010 Population: 3.

Dreyfus

**MagDist# 1**

**Precinct# 19  
BOBTOWN  
REDLICK**

-  Magisterial District Boundary
-  City Limits
-  State Representative Boundary

0 1,000 Feet