

**CORRECTION OF
ORDINANCE 19-16:**

SEE ORIGINAL:

ORD5/PAGE 461



OFFICE OF THE GOVERNOR
DEPARTMENT FOR LOCAL GOVERNMENT

Andy Beshear
Governor

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Dennis Keene
Commissioner

March 10, 2020

Robyn Fayne
Executive Assistant
Madison County Fiscal Court
135 West Irvine Street, Suite 300
Richmond, KY 40475

RE: *ICA 20-009: The Counties of Madison, Kentucky, and Scott County, Kentucky;
Kentucky Counties Government Cloud*

Ms. Fayne:

Enclosed please find the above-referenced Interlocal Agreement. The Department for Local Government (DLG) has retained a copy of the Agreement for DLG's files. This Agreement must also be filed with the County Clerks for each party and the Secretary of State to have force of law, as per KRS 65.290. If you have any questions or comments, please contact me at (800) 346-5606.

Respectfully,

A handwritten signature in black ink, appearing to read "Bill Pauley", with a long horizontal line extending to the right.

Bill Pauley
Staff Attorney

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MADISON COUNTY
ORD5 PG486

**MADISON COUNTY FISCAL COURT
MADISON COUNTY, KY
ORDINANCE 19-16**

**AN ORDINANCE RELATING TO AN INTERLOCAL AGREEMENT
BETWEEN MADISON COUNTY FISCAL COURT AND SCOTT COUNTY
FISCAL COURT FOR THE USE OF THE KENTUCKY COUNTIES
GOVERNMENT CLOUD (KCGC)**

WHEREAS, the Madison County Fiscal Court desires to offer data center services to Kentucky Counties to promote regionalism by providing secure, reliable and cost-effective data center access; and

WHEREAS, the intention of the Madison County Fiscal Court is to operate the data center under the name of Kentucky Counties Government Cloud (KCGC), Powered by Madison County; and

WHEREAS, the Madison County Fiscal Court has a facility that meets the specifications of a tier 3 data center by providing 99.982% availability; and

WHEREAS, the Madison County Fiscal Court facility has the appropriate power requirements, cooling requirements, technological infrastructure, technical staff to operate a data center; and

WHEREAS, the Madison County Fiscal Court will charge for the services at the rates listed in the Bill of Services signed by both entities.

NOW THEREFORE, BE IT ORDAINED by the Fiscal Court of the County of Madison, Commonwealth of Kentucky, that it enter into an agreement for Data Center Services with the terms of the agreement outlined in **Attachment 1: Interlocal Agreement for Kentucky Counties Government Cloud between Madison County Fiscal Court and Scott County Fiscal Court.**

**THIS ORDINANCE SHALL BECOME EFFECTIVE ON THE DATE OF THE SECOND
READING AND ADOPTION:**

DATE OF THE FIRST READING: October 8, 2019

MOTION BY: Roger Barger

SECONDED BY: John Tudor

VOTE:	YES	NO
JUDGE EXECUTIVE REAGAN TAYLOR	✓	
MAGISTRATE LARRY COMBS	absent	
MAGISTRATE ROGER BARGER	✓	
MAGISTRATE JOHN TUDOR	✓	
MAGISTRATE TOM BOTKIN	absent	

DATE OF THE SECOND READING: October 22, 2019

MOTION BY: JOHN TUDOR

SECONDED BY: ROGER BARGER

VOTE:	YES	NO
JUDGE EXECUTIVE REAGAN TAYLOR	X	
MAGISTRATE LARRY COMBS	X	
MAGISTRATE ROGER BARGER	X	
MAGISTRATE JOHN TUDOR	X	
MAGISTRATE TOM BOTKIN	X	

R. Taylor
MADISON COUNTY JUDGE EXECUTIVE

By B. B. C.
MADISON COUNTY CLERK

**INTERLOCAL AGREEMENT FOR KENTUCKY COUNTIES
GOVERNMENT CLOUD (KCGC) BETWEEN MADISON COUNTY
FISCAL COURT AND SCOTT COUNTY FISCAL COURT**

WHEREAS, the Madison County Fiscal Court desires to offer data center services to Kentucky Counties to promote regionalism by providing secure, reliable and cost-effective data center access; and

WHEREAS, the intention of the Madison County Fiscal Court is to operate the data center under the name of Kentucky Counties Government Cloud (KCGC), Powered by Madison County; and

WHEREAS, under the Interlocal Cooperation Act set forth in KRS 65.210 to 65.300 (the "Act"), any powers, privileges or authority capable of being exercised by a local government may be exercised jointly with one or more local government entities under a Cooperation Agreement allowing joint and cooperative action; and

WHEREAS, the Madison County Fiscal Court has a facility that meets the specifications of a tier 3 data center by providing 99.982% availability; and

WHEREAS, the Madison County Fiscal Court facility has the appropriate power requirements, cooling requirements, technological infrastructure, technical staff to operate a data center; and

WHEREAS, the Madison County Fiscal Court will charge for the services at the rates listed in the Bill of Services signed by both entities.

NOW THEREFORE, in consideration of the premises and mutual covenants set forth herein, the parties hereto agree, each with the other, as follows:

ARTICLE I – EFFECTIVE DATE AND DURATION

Subject to the approval of the Kentucky Department of Local Government this Agreement shall become effective on the date listed on the signature page. This Agreement shall be in full force and effect for a period of twelve (12) months from the date listed on the signature page and shall automatically be renewed

Page 1 of 5

to new systems. The Member shall be responsible for providing storage media to be used to provide the final copy of data or full base metals copy of virtual machines.

In the event of termination of the agreement the Madison County Fiscal Court will transfer the purchased Microsoft Licenses to the Member.

COUNTY OF MADISON, KENTUCKY

COUNTY OF SCOTT, KENTUCKY

R. J. [Signature]
County Judge/Executive

[Signature]
County Judge/Executive

ATTEST:

[Signature]
County Clerk

ATTEST:

[Signature]
County Clerk

APPROVED AS TO FORM:

[Signature]
County Attorney

APPROVED AS TO FORM:

[Signature]
County Attorney

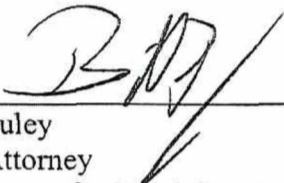
Both entities agree the effective date of this agreement shall be this

2 day of DECEMBER, 2019

INTERLOCAL COOPERATION AGREEMENT

ICA 20-009: The Counties of Madison, Kentucky, and Scott County, Kentucky; *Kentucky Counties Government Cloud*


Reviewed as to compliance with KRS 65.210 to 65.300 and recommended for approval:



Bill Pauley
Staff Attorney
Department for Local Government

3/9/2020
Date

Approved:



Dennis Keene
Commissioner
Department for Local Government

3-9-20
Date