

**MADISON COUNTY FISCAL COURT
MADISON COUNTY, KY
ORDINANCE 20-11**

**AN ORDINANCE AMENDING THE INTERLOCAL COOPERATION AGREEMENT
PUBLIC SAFETY COMMUNICATION SERVICES INTERLOCAL COOPERATION
AGREEMENT BETWEEN MADISON COUNTY, KENTUCKY, MADISON COUNTY
AMBULANCE SERVICE, KENTUCKY STATE POLICE, MADISON COUNTY
SHERIFF, MADISON COUNTY CORONER, CITY OF BERA, KENTUCKY, AND
CITY OF RICHMOND, KENTUCKY**

WHEREAS, on May 22, 2007, the County, the Ambulance Service, the KSP, the Sheriff, the Coroner, and Berea (hereafter the original parties) entered into an Interlocal Cooperation Agreement for 911 Public Safety Board (the Agreement) in order to provide safe, affordable and efficient emergency service to their citizens and constituents; and

WHEREAS, the Agreement was amended in 2008 by designating the non-voting members of the board as advisory members; and

WHEREAS, the Agreement was amended in 2010 to include Richmond as an additional party to the Agreement; and

WHEREAS, the parties have determined that it will serve the public interest for this Agreement to specify Management Control of the Agreement; and

WHEREAS, the County agrees to the proposed terms set forth in the Amendment that Section Two of the Agreement is amended so that such Section shall read as follows:

Section Two: Organization

2.2, Members and ex officio advisory members shall serve as long as they occupy the designated position; appointed advisory members shall serve at the pleasure of the appointing government or agency.

2.4, Management Control, Management Control of the MC911 shall be the responsibility of the Director and Madison County 911 Public Safety Board. Management Control of LINK/NCIC compliance shall be the responsibility of the Berea Police Department. The Berea Police Department and the Madison E-911 Center have agreed the 911 center will maintain all required LINK/NCIC records and maintain compliance for the terminal agency including making sure all employees of the Madison E-911 Center meet the DOCJT Telecommunicator Professional Standards requirements along with all CJIS LINK/NCIC requirements for employment. Madison E-911 will also continue to meet all CJIS LINK/NCIC Audit requirements for the terminal agency.

Said Amended Agreement is hereto attached to this Ordinance and will become effective once it has been signed by all parties; and

WHEREAS, the parties acknowledge their intent and desire to enter into an amended Agreement pursuant to the provisions of KRS 65.210 through 65.300 and KRS 65.750 through 65.760 and 65.7621 through 65.7643

NOW, THEREFORE, BE IT ORDAINED THAT THE FISCAL COURT DOES HEREBY APPROVE TO ENTER INTO THE AGREEMENT AND AUTHORIZES THE JUDGE EXECUTIVE TO EXECUTE SAME ON BEHALF OF THE COUNTY.

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

DATE OF FIRST READING: April 28, 2020

MOTION BY: John Tudor

SECONDED BY: Larry Combs

| VOTE: | YES | NO |
|-------------------------|----------|-------|
| Magistrate Larry Combs | <u>X</u> | _____ |
| Magistrate Roger Barger | <u>X</u> | _____ |
| Magistrate John Tudor | <u>X</u> | _____ |
| Magistrate Tom Botkin | <u>X</u> | _____ |
| Judge Reagan Taylor | <u>X</u> | _____ |

DATE OF SECOND READING: May 12, 2020

MOTION BY: Larry Combs

SECONDED BY: Tom Botkin

| VOTE: | YES | NO |
|-------------------------|----------|-------|
| Magistrate Larry Combs | <u>X</u> | _____ |
| Magistrate Roger Barger | <u>X</u> | _____ |
| Magistrate John Tudor | <u>X</u> | _____ |
| Magistrate Tom Botkin | <u>X</u> | _____ |
| Judge Reagan Taylor | <u>X</u> | _____ |

Reagan Taylor
Reagan Taylor, Madison County Judge Executive

Attest:
Kenny Barger
Kenny Barger, Madison County Clerk

RESOLUTION NO. 03 - 2020
CITY OF BERE, KENTUCKY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BERE, KENTUCKY ADOPTING AND APPROVING THE EXECUTION OF AN AMENDMENT TO THE INTERLOCAL AGREEMENT WITH MADISON COUNTY, MADISON COUNTY EMS, KENTUCKY STATE POLICE, MADISON COUNTY SHERIFF, MADISON COUNTY CORONER AND CITY OF RICHMOND FOR PUBLIC SAFETY COMMUNICATION SERVICES.

WHEREAS, the City of Bere entered into an Interlocal Cooperation Agreement for Public Safety Communications Services on May 22, 2007; and

WHEREAS, the City of Bere has determined to enter into an Amendment to the Interlocal agreement with Madison County, Madison County EMS, Kentucky State Police, Madison County Sheriff, Madison County Coroner and City of Richmond, for the safe, affordable and efficient emergency service to their citizens and constituents;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bere, Kentucky, as follows:

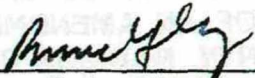
SECTION 1. That the City Council of the City of Bere does hereby ratify and approve the Amendment to the Interlocal Agreement attached hereto.

SECTION 2. That the Mayor of the City of Bere, Kentucky, is hereby authorized, directed, and empowered to execute the Amendment to the Interlocal Agreement, and all other necessary documents or agreements, and to otherwise act on behalf of the City of Bere to implement the Amendment to the Interlocal Agreement.

SECTION 3. This Resolution shall take effect immediately upon passage.

CITY OF BEREA, KENTUCKY

APPROVED BY:



Bruce Fraley, Mayor

Date: April 21, 2020

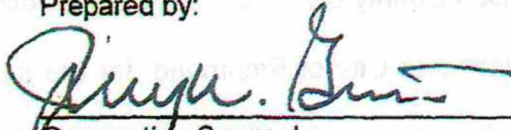
ATTEST:



Robin Adams
Clerk of the City Council

Date: April 21, 2020

Prepared by:



J. L. Gentry
Corporation Counsel

AMENDMENT TO THE
INTERLOCAL COOPERATION AGREEMENT
PUBLIC SAFETY COMMUNICATION SERVICES
INTERLOCAL COOPERATION AGREEMENT

between

Madison County, Kentucky, Madison County EMS, Kentucky State
Police, Madison County Sheriff, Madison County Coroner, City of
Berea, Kentucky, and City of Richmond, Kentucky

This Amendment to Agreement is entered into by and between the Madison
County Fiscal Court, hereinafter referred to as "County," the Madison County EMS,
hereinafter referred to as "EMS," the Kentucky State Police, hereinafter referred to as
"KSP," the Madison County Sheriff, hereinafter referred to as the "Sheriff," the Madison
County Coroner, hereinafter referred to as the "Coroner," the City of Berea, Kentucky,
hereinafter referred to as "Berea," and the City of Richmond, Kentucky, hereinafter
referred to as "Richmond," shall be effective according to its terms on the 30 day of
April, 2020.

WITNESSETH, that

WHEREAS, on May 22, 2007, the County, the EMS, the KSP, the Sheriff, the
Coroner, and Berea (hereafter the original parties), entered into an Interlocal
Cooperation Agreement for 911 Public Safety Board (the Agreement) in order to provide
safe, affordable and efficient emergency service to their citizens and constituents; and

WHEREAS, the Agreement was amended in 2008 by designating the non-voting
members of the board as advisory members; and

WHEREAS, the Agreement was amended in 2010 to include Richmond as an
additional party to the Agreement; and

WHEREAS, the parties have determined that it will serve the public interest for
this Agreement to specify Management Control of the Agreement; and

WHEREAS, the legislative bodies of the County, Berea, and Richmond, and the
governing bodies of the other parties, have approved the terms and provisions of the
following Amendments to the Agreement and have adopted the necessary resolutions
authorizing and directing the administrative head of the respective party to proceed with
implementation of the amendments; and

WHEREAS, the parties acknowledge their intent and desire to enter into an
amended Agreement pursuant to the provisions of KRS 65.210 through 65.300 and
KRS 65.750 through 65.760 and 65.7621 through 65.7643.

NOW, THEREFORE, IT IS AGREED BETWEEN THE PARTIES AS FOLLOWS:

1. That Section Two of the Agreement is amended so that such Section shall read as follows, the additional provisions being underlined, and the deleted provisions being stricken through:

Section Two: Organization

2.1 The parties agree to continue the consolidated communication operation established in the Agreement, known as the Madison County Consolidated Public Safety 911 Board, hereinafter referred to as the "Board," as a joint communication facility of the parties, which Board shall administer and set policy for providing public safety communication services in Madison County. This Board shall exist as an independent and autonomous body to oversee all related dispatching functions within the parameters contained herein. Provided, however, that (1) all annual budgets thereafter shall be approved, prior to implementation, by the Madison County Fiscal Court and the legislative bodies of the Cities of Berea and Richmond, and (2) that the Board will be considered a part of Madison County government for administrative clerical and staff support services and for the purpose of procuring and maintaining liability insurance coverage and other Human Resource services. The Board shall have the discretion to become fully independent of county government when conditions warrant.

2.2 The Madison County Public Safety 911 Board shall consist of nine (9) members, each of whom shall serve while occupying the following offices: Madison County Sheriff; Commander of KSP Post 7, Berea Police Chief; Madison County EMS Director; Berea Fire Chief; Madison County Fire Chief; Madison County Coroner; Richmond Police Chief; and Richmond Fire Chief. The Madison County Judge-Executive, the Mayor of Berea, and the Mayor of Richmond may each appoint one advisory member, who shall not have a vote on the board. ~~It is the intent of this Agreement that the Board shall be composed of a majority of law enforcement officials to meet NCIC eligibility.~~ Members and *ex officio* advisory members shall serve as long as they occupy the designated position; appointed advisory members shall serve at the pleasure of the appointing government or agency. Voting members shall serve as long as they occupy the designated positions; non-voting members shall serve at the pleasure of the appointing authority. Any member may designate another member to vote for the member by written proxy, which shall also be utilized in determining the presence of a quorum.

2.3 No elected official or member of the Board shall be eligible to hold the position of Executive Director.

2.4 Management Control

Management Control of the MC911 shall be the responsibility of the Director and Madison County 911Public Safety Board. Management Control of LINK / NCIC

compliance shall be the responsibility of the Berea Police Department. The Berea Police Department and the Madison E-911 Center have agreed the 911 center will maintain all required LINK/NCIC records and maintain compliance for the terminal agency including making sure all employees of the Madison E-911 Center meet the DOCJT Telecommunicator Professional Standards requirements along with all CJIS LINK/NCIC requirements for employment. Madison E-911 will also continue to meet all CJIS LINK/NCIC Audit requirements for the terminal agency.

2. The existing Interlocal Cooperation Agreement for 911 Public Safety Board is attached and incorporated herein by reference, and the terms and conditions thereof are hereby affirmed and ratified by the parties hereto, except as modified in this Amendment.

In witness whereof, the authorized representative of each party executes this agreement.

Madison County, Kentucky

R. Taylor
By: Reagan Taylor
Date: 5-12-2020

Kentucky State Police

A. Colby Newton
By: Lt. Col. L.C. NEWTON JR
Date: 7/23/2020

Madison County EMS

Charles B. Coyle
By: Charles B. Coyle - Director
Date: 05/13/2020

Madison County Coroner

Jimmy Corbett
By: Jimmy Corbett
Date: 5-13-2020

City of Berea, Kentucky

Michael Coyle
By: Michael Coyle
Date: April 30, 2020

Madison County Sheriff

Michael Coyle
By: Michael Coyle
Date: 5/12/2020

City of Richmond, Kentucky

Michael Coyle
By: Michael Coyle
Date: 7-2-2020

RECEIVED AND FILED
DATE 2/26/22

MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY [Signature]

Seen and approved by:
Department for Local Government

By: _____

Date: _____

Amendment to Interlocal agreement on Joint Dispatch 1.23.2020

* ACCORDING TO THE ATTORNEY GENERAL'S OFFICE (AG), THE SECRETARY OF STATE (SOS) & AG
ARE THE OFFICES THAT COVER THIS. THEY SAID IT WAS EITHER AG OR DLG & SOS.



Commonwealth of Kentucky
Office of the Attorney General

Daniel Cameron
Attorney General

Capitol Building, Suite 118
700 Capital Avenue
Frankfort, Kentucky 40601
(502) 696-5300
Fax: (502) 564-2894

February 10, 2022

Via electronic mail

Ms. Robyn Fayne
Executive Assistant
Madison County Government
135 West Irvine Street, Suite 300
Richmond, KY 40475
Robyn.Fayne@madisoncountky.us

RE: Review of Interlocal Agreement under KRS 65.242
911 Public Safety Board

Dear Ms. Fayne:

The Office of the Attorney General is in receipt of the proposed amendment to Section 2 of the 911 Public Safety Board Interlocal Agreement, which revises the organization and management control of the Board members. Under KRS 65.260, the Attorney General is charged with reviewing as to form and legality any new Interlocal Agreement and any substantive revision made to an existing Interlocal Agreement under KRS 65.242.

Having reviewed the proposed amendment to your existing Interlocal Agreement as to form and legality, the Office of the Attorney General finds the submission consistent with KRS 65.242.

Consistent with KRS 65.242(2), please ensure that each public agency subject to the agreement files a copy of the amended agreement with the Secretary of State. To effectuate filing, forward the approved agreement to the Secretary of State's Office, ATTN: Jeremy Foster, 700 Capital Ave, Suite 80, Frankfort, KY 40601. Please include a self-addressed envelope so that a file-stamped copy can be returned to you for your records. There is no filing fee for this process.

Should you have any questions, please feel free to contact me at (502) 764-0762.

Sincerely,

DANIEL CAMERON
ATTORNEY GENERAL

/s/ Olivia F. Amlung

Olivia F. Amlung, Assistant Attorney General
Office of Civil & Environmental Law

cc: Wendy Lynch via email at: Wendy.Lynch@madisoncountyky.us



Kenny Barger
Office of the Madison County Clerk
PO Box 1270
Richmond, KY 40476
Phone: 859-624-4703
Fax: 859-624-8474
<http://clerk.madisoncountyky.us>

To whom it may concern this is a certified copy of ORD. 20-11.

Kenny Barger Madison County Clerk

Kenny Barger MCC
2-15-2022