

ORDERS

HART COUNTY FISCAL

COURT

910.1

REGULAR

Term,

7th

Day of

APRIL

19 70

FORM O-7-1 THE STANDARD PRINTING COMPANY, INC., LOUISVILLE, KY.

NOW THEREFORE, be it ordained by the City Councils or Boards of the Cities of Bonnieville, Horse Cave, and Munfordville, and the Fiscal Court of the County of Hart, Kentucky as follows; to wit:

Section 1. The agreement for the establishment of a Joint City-County Planning Unit and Joint City-County Planning Commission conforming to the provisions of Chapter 100, Kentucky Revised Statutes attached hereto and made a part hereof is approved and ratified.

Section 2. The Mayors of Bonnieville, Horse Cave, and Munfordville and the County Judge of Hart County, Kentucky, are hereby authorized and directed to execute the same for and on behalf of said cities and county and the City Clerk of the City of Bonnieville, the City Clerk of the City of Horse Cave, the City Clerk of the City of Munfordville, and the County Court Clerk of the County of Hart, Kentucky, are hereby authorized and directed to attest the same and to affix the seal of his/her office thereto.

Section 3. All ordinances or orders in conflict herewith are hereby expressly repealed.

Section 4. If any section, sentence, part or paragraph hereof is invalid, such invalidity shall not affect the remaining portions, unless the context requires it.

Section 5. This ordinance or order shall be in full force and effect on and after its adoption, approval, publication, posting or recording as required by law.

ATTEST:

/s/ Faye Highbaugh
City Clerk

CITY OF BONNIEVILLE

/s/ Harold Tennyson
Mayor

ATTEST:

/s/ Viola Richey
City Clerk

CITY OF HORSE CAVE

/s/ Glen R. Garrison
Mayor

ATTEST:

/s/ H. D. Puckett
City Clerk

CITY OF MUNFORDVILLE

/s/ Jim R. Berry
Mayor

ATTEST:

/s/ D. A. Stewart
County Court Clerk

COUNTY OF HART

/s/ Ralph E. Cottrell
County Judge

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AN ORDINANCE (ORDER) OF THE CITIES OF BONNIEVILLE, HORSE CAVE, AND MUNFORDVILLE, AND THE COUNTY OF HART, APPROVING AN AGREEMENT FOR THE ESTABLISHMENT OF A JOINT CITY-COUNTY PLANNING UNIT, AND A PLANNING COMMISSION PURSUANT TO K.R.S. CHAPTER 100, ADOPTING AND RATIFYING SUCH AGREEMENT: AUTHORIZING THE MAYORS AND THE CITY CLERKS OF BONNIEVILLE, HORSE CAVE, AND MUNFORDVILLE, AND THE COUNTY JUDGE OF HART AND THE COUNTY COURT CLERK OF HART COUNTY TO EXECUTE AND ATTEST THE SAME FOR AND ON BEHALF OF THEIR RESPECTIVE ENTITY: REPEALING CONFLICTING ORDINANCES OR ORDERS: PROVIDING SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, inquiry has been made of the legislative bodies of Bonnieville, Horse Cave, and Munfordville, and the legislative body of the County of Hart, and affirmative response has been made by the political subdivisions, for the establishment of a Joint City-County planning Unit, pursuant to Chapter 100, Kentucky Revised Statutes, and

WHEREAS an agreement establishing a Joint City-County Planning Unit and a Joint City-County Planning Commission and whereas said agreement establishes the membership, functions, duties, government, jurisdiction and responsibility of such unit and Commission.

REGULAR Term, 7th Day of APRIL 19 70

AGREEMENT ESTABLISHING A JOINT CITY-COUNTY
PLANNING UNIT AND A JOINT CITY-COUNTY
PLANNING COMMISSION

THIS AGREEMENT made and entered into this 6th day of April, 1970, by and between the Cities of Bonnieville, Horse Cave, and Munfordville, and the County of Hart, Kentucky, hereinafter referred to respectively as Cities and County.

WITNESSETH:

THAT WHEREAS, the Cities and the County have determined to establish a "joint Planning Commission" within the purview of Chapter 100 of the Kentucky Revised Statutes, as amended, under terms and conditions mutually acceptable.

NOW THEREFORE, in consideration of the premises, and in conformity with the requirements of said Statutes, the Cities and the County agree and stipulate as follows:

That this Unit and Commission is established to secure the maximum economical, physical and social welfare for the Cities and County and their citizens through the thoughtful and planned use and development of land, building, throughfares and public utilities.

SECTION 1. GENERAL:

This commission shall be known as the Hart County Planning Commission and is hereby created and established as authorized by Kentucky Revised Statutes, Chapter 100, and such shall be organized and empowered as stated herein, Upon the appointment and subsequent approval of members, election of officers, and adoption of its by-laws, its existence shall begin subject to the provisions of KRS Chapter 100. The Commission may engage in planning operations within its jurisdiction which will be coterminous with its political boundary.

SECTION 2. MEMBERSHIP:

(1) The Hart County Planning Commission shall consist of (12) members. The Judge of the County of Hart and the Mayors of the Cities of Bonnieville, Horse Cave, and Munfordville, Kentucky with the approval of their respective legislative bodies shall appoint two members each to be known as citizen-members. The oath of office shall be administered to all members of the commission before entering upon their duties and shall be administered as provided by law.

(2) The terms of office of citizen-members shall be four years, except the original terms shall be staggered so a proportionate number serve one, two, three, and four years respectively. Reappointments or appointments to fill vacancies shall be made in order to continue the staggered pattern.

(3) All vacancies, whether by resignation, dismissal, or expiration of the term of office, shall be filled within sixty days by the appropriate appointing authority or as otherwise provided for in KRS 100.147. A Citizen-member

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may be removed by the appropriate appointing authority for inefficiency, neglect of duty, malfeasance, or conflict of interest. The removed member shall have the right of appeal in the manner prescribed by KRS 100.157.

(4) Four members may be appointed to serve and shall be known as ex-officio members by virtue of an office they hold, either through election or appointment. These shall be one each from the Cities involved and one from the County. The term of office of all ex-officio members who are elected public officials appointed to the planning commission shall be the same as their official tenure of office. The term of office of all ex-officio members of the planning commission who are appointed public officials shall be for four years or at the pleasure of the appropriate appointing official.

(5) Citizen-members shall serve without compensation but reimbursement of expenses may be authorized. All ex-officio members of the commission shall serve without compensation, but reimbursement of expenses may be authorized.

SECTION 3. OFFICERS AND STAFF:

The commission shall elect a chairman, and any other officers which it deems necessary from among its citizen-members. The term of office shall be one year with eligibility for re-election. The commission may employ a staff as it may deem necessary for its work and may contract with professional planners and other parties for such services as it may require.

SECTION 4. FUNDING:

It is agreed that any cost incurred by the planning commission will be from funds obtained by the planning commission or from funds budgeted to the commission from the governing bodies of the city and county of an equal basis.

SECTION 5. MEETINGS:

The commission shall conduct each year at least six regular meetings for the transaction of its business. The by-laws adopted by the commission shall reflect the schedule of regular meetings; the manner in which notice shall be given; date; time; place; and the subject or subjects to be discussed, as well as the method of calling and conducting special meetings. A simple majority of the total membership shall constitute a quorum. After a quorum has been established, a simple majority of that quorum can transact any official business except in those instances where there is to be an adoption or amendment of the commission's by-laws or elements of the comprehensive plan or regulations; then a vote of the simple majority of the total membership shall be necessary.

SECTION 6. BY-LAWS:

The commission shall adopt and approve its by-laws before it may properly transact any business. The by-laws shall set forth the procedures, rules,

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and regulations necessary for ; the commission to conduct its business. The by-laws shall describe the method for administration of funds, and provide for an annual audit thereof.

SECTION 7. POWERS AND DUTIES:

The commission shall have general powers necessary to carry out its functions in accordance with this agreement and KRS Chapter 100. The commission may be assigned any powers, duties and functions related to urban renewal or public housing by the fiscal court of the county and the legislative body of a participating city.

SECTION 8. SEPARABILITY CLAUSE:

Should any section or provision of this order be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this agreement as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 9. AMENDMENT AND EXECUTIPN:

(1) AMENDMENT-This agreement may be amended from time to time by mutual agreement of all signators participating in the unit, with such amendment or amended agreement filed in the office of the County Clerk of Hart County.

(2) EXECUTION - IN WITNESS WHEREOF, the undersigned parties each acting by and through their duly authorized officials, having caused the agreement to be executed as of this 6th day of April, 1970.

CITY OF BONNIEVILLE

/s/ Harold Tennyson
Mayor

CITY OF HORSE CAVE

/s/ Glen R. Garrison
Mayor

CITY OF MUNFORDVILLE

/s/ Jim R. Berry
Mayor

HART COUNTY FISCAL COURT

/s/ Ralph E. Cottrell
County Judge

Read and adopted and signed by the Munfordville City Council on or before April 6, 1970.

Read and adopted and signed by the Horse Cave City Council on or before April 6, 1970.

Read and adopted and signed by the Bonnieville City Council on or before April 6, 1970.

Read and adopted and signed by the Hart County Fiscal Court on or before April 6, 1970.