

ORDINANCE #220.140

AN ORDINANCE DIRECTING THE RETENTION OF .75 PERCENT (.75%) OF ALL OCCUPATIONAL LICENSE FEES DUE AND PAYABLE TO SIMPSON COUNTY FISCAL COURT, BY ORDINANCE, FROM THE SALARIES, WAGES AND OTHER COMPENSATION TO BE PAID TO THE EMPLOYEES OF COVALENCE SPECIALTY ADHESIVES, LLC (BERRY PLASTICS) IN ACCORDANCE WITH THE ALLOWABLE INCENTIVES UNDER THE KENTUCKY INDUSTRIAL REVITALIZATION ACT.

**WHEREAS**, by ordinance # 220.129 the Simpson County Fiscal Court is authorized to levy and impose an occupational license fee upon all employees that are employed in Simpson County; and

**WHEREAS**, Covalence Specialty Adhesives hereinafter (Berry Plastics) is an important local industry having its roots in the Simpson County community for over 50 years; and

**WHEREAS**, Berry Plastics employs nearly 500 persons from the Franklin-Simpson County area, employees whose jobs will be retained because of the important actions taken through this ordinance utilizing the Kentucky Industrial Revitalization Act (hereinafter the Act); and

**WHEREAS**, as one incentive and inducement to Berry Plastics to retain and rehabilitate its Franklin facility, the County hereby agrees to authorize the company to retain the .75 percent (.75%) occupational license fees otherwise derived by the County from salaries, wages and other compensation paid to its employees;

**NOW THEREFORE, BE IT ORDAINED BY THE SIMPSON COUNTY  
FISCAL COURT, AS FOLLOWS:**

**Section 1.** The Simpson County Fiscal Court does hereby authorize Berry Plastics to retain the .75 percent (.75%) occupational license fees imposed and levied on all wages, salaries and other compensation paid by said Berry Plastics under the provisions of the Act.

**Section 2.** The Simpson County Fiscal Court hereby authorizes that the aforementioned incentives shall be for a period of ten (10) years or until the maximum amount allowed under the Act has been retained, whichever first occurs. The ten (10) year term shall commence when said Company's application has been given final approval and activated under the Act.

**Section 3.** It is further ordained that the .75 percent (.75%) occupational license fees authorized and directed herein shall only apply to fees on wages, salaries and other compensation paid on its current employees and all new employees hired in conjunction with the expansion, rehabilitation , and retention of Berry Plastics' business operations in Simpson County, Kentucky.

**FEBRUARY 16, 2010 FIRST READING**

**MARCH 2, 2010 SECOND READING**

At a meeting of the Fiscal Court of the County of Simpson, Commonwealth of Kentucky held March 2, 2010, on motion made by Honorable Charles McCutchen, and seconded by Honorable Larry Randolph, the foregoing ordinance was adopted, after full discussion, by the following vote:


<u>Yes</u>	KELLY BANTON
<u>Yes</u>	MARTY CHANDLER
<u>Yes</u>	CHARLES McCUTCHEN
<u>Yes</u>	LARRY RANDOLPH
<u>Yes</u>	JIM HENDERSON

APPROVED:

BY:

  
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JIM HENDERSON, COUNTY JUDGE EXECUTIVE  
COUNTY OF SIMPSON, COMMONWEALTH OF  
KENTUCKY

Attest:

  
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Pam Rohrs, Fiscal Court Clerk  
County of Simpson, Commonwealth of Kentucky