

ORDINANCE NO. 310.22

ORDINANCE APPROVING ENTERING INTO AN INTERLOCAL AGREEMENT WITH WARREN COUNTY, KENTUCKY, TO ALLOW THE PLANO FIRE DEPARTMENT TO BECOME THE PRIMARY RESPONSE AGENCY FOR A PORTION OF SIMPSON COUNTY THAT IS WITHIN A FIVE (5) MILE RADIUS OF THE PLANO FIRE DEPARTMENT STATION.

WHEREAS, pursuant to Section 65.210 through 65.300, inclusive, of the Kentucky Revised Statutes, as amended (the "Interlocal Act"), Warren County and Simpson County join together to accomplish what each may accomplish individually.

WHEREAS, Warren County and Simpson County have found there exists a need for Plano Fire Department, a Warren County agency, to become the primary response agency for a portion of northern Simpson County that is within a five mile radius of the Plano Fire Department Station. A map labeled "Exhibit A" is attached to this agreement which notes the affected portion of land by a red solid boundary line extending into Simpson County.

WHEREAS, in order to deal more effectively with providing emergency services to an area that would otherwise be insufficiently protected, Warren County Fiscal Court and Simpson County Fiscal Court desire to enter into an Interlocal Cooperation Agreement (hereinafter "the Agreement").

WHEREAS, Simpson County agrees through the Interlocal Agreement to be responsible for this undertaking and to reimburse Warren County for all costs associated with this undertaking.

THEREFORE, be it hereby ordered by the Fiscal Court of Simpson County, Kentucky, that it hereby approves of entering into an Interlocal Agreement with Warren County, Kentucky, allowing the Plano Fire Department to become the primary response agency for a portion of Simpson County that is within a five (5) mile radius of the Plano Fire Department Station.

IT IS FURTHER ORDERED that the County Judge Executive is hereby authorized to execute said Interlocal Agreement.

September 4, 2018

FIRST READING

November 5, 2018

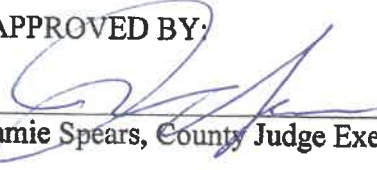
SECOND READING

At a meeting of the Fiscal Court of the County of Simpson, Kentucky, held on November 5, 2018, on motion made by Marty Chandler and seconded by

Bobby Bush, the foregoing ordinance was adopted, after full discussion, by the following vote:

<u>Yes</u>	Marty Chandler
<u>Yes</u>	Bobby Bush
<u>Yes</u>	Larry Randolph
<u>Yes</u>	Blake Tarpley
<u>Yes</u>	Jamie Spears

APPROVED BY:



Jamie Spears, County Judge Executive

ATTEST:



Pam Rohrs, Clerk
Simpson County Fiscal Court



WARREN COUNTY
MC19 PG268

Matthew G. Bevin
Governor

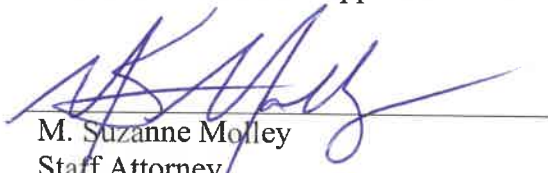
OFFICE OF THE GOVERNOR
DEPARTMENT FOR LOCAL GOVERNMENT
100 AIRPORT ROAD
FRANKFORT, KENTUCKY 40601
PHONE (502) 573-2382 FAX (502) 573-2939
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TDD (800) 247-2510
www.dlg.ky.gov
www.kentucky.gov

Sandra K. Dunahoo
Commissioner

INTERLOCAL COOPERATION AGREEMENT


RE: ICA 19-001: Warren County & Simpson County – Plano Fire Department

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


M. Suzanne Molley
Staff Attorney
Department for Local Government

August 7, 2019
Date

Approved:


Sandra K. Dunahoo
Commissioner
Department for Local Government

August 13, 2019
Date

**INTERLOCAL COOPERATION AGREEMENT
RELATING TO FIRE PROTECTION**

This Interlocal Cooperation Agreement is made and entered as of this 26th day of July, 2019, by and between Warren County and Simpson County.

WHEREAS, pursuant to Sections 65.210 through 65.300, inclusive, of the Kentucky Revised Statutes, as amended (the "Interlocal Act"), Warren County and Simpson County join together to accomplish what each may accomplish individually;

WHEREAS, Warren County and Simpson County have found there exists a need for the Plano Fire Department, a Warren County agency, to become the primary response agency for a portion of northern Simpson County that is within a five-mile radius of the Plano Fire Department Station. A map labeled "Exhibit A" is attached to this agreement which notes the affected portion of land by a red solid boundary line extending into Simpson County.

WHEREAS, in order to deal more effectively with providing emergency services to an area that would otherwise be insufficiently protected, Warren County Fiscal Court and Simpson County Fiscal Court desire to enter into an Interlocal Cooperation Agreement (hereinafter "the Agreement").

NOW, THEREFORE, in consideration of the premises contained herein, Warren County and Simpson County covenant and agree as follows:

1. Warren County, through the Plano Fire Department, shall provide emergency response to structure fires within the five mile geographical area of Simpson County that is encompassed in a red outline on Exhibit A.

2. The term of this agreement shall be effective for a period of one year from the effective date.

3. The Agreement is automatically renewed at the beginning of each fiscal year under the same terms and conditions, unless either party, by written notice to the other, thirty (30) days prior to expiration of the current term, proposes changes in the Agreement, or to terminate the Agreement.

4. Simpson County Fiscal Court agrees to pay Warren County the equivalent of the current fire protection membership dues paid by Warren County residents, landowners, and business owners for all premises affected by the Agreement. The payment shall be remitted to Warren County Fiscal Court within 60 (sixty) days of the end of the fiscal year. All dues are subject to re-evaluation each year.

A. Residential Dues. A membership charge of \$50.00 (Fifty Dollars) shall be assessed for every owner of a piece of property, upon which a dwelling is situated, located within the affected portion of land. The residential fee shall be assessed upon every property upon which a dwelling is situated, but once paid, will cover all land owned by the property owner. Thus, should a property owner own more than one dwelling, the property owner will be assessed \$50.00 for each dwelling and all property (including undeveloped farmland owned in the name of that property owner) shall be covered and no other fee shall be assessed.

B. Business Dues. A membership charge of \$70.00 (Seventy Dollars) shall be assessed of every business within the affected portion of land. This is a per-business fee.

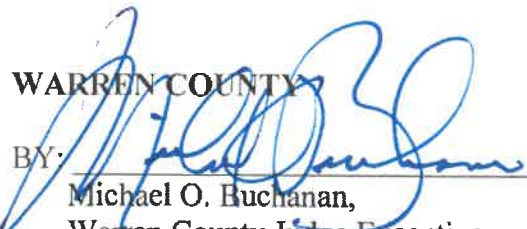
C. Mobile Home Dues. A membership charge of \$50.00 (Fifty Dollars) shall be assessed of every mobile home owner located within the affected portion of land.

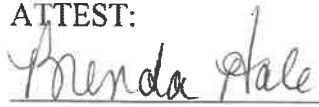
5. In the event of termination before the end of a fiscal year, Simpson County agrees to pay a pro rata amount equivalent to the percent of services rendered.


6. The Simpson County Judge Executive will be responsible for administering this undertaking.


7. The Plano Fire Department shall establish and maintain a budget associated with this undertaking and shall retain any and all real and personal property used in the cooperative undertaking.

8. The Agreement shall be effective on July 26, 2019 upon passage and approval, and after approval of the Department for Local Government of the Commonwealth of Kentucky, pursuant to 65.260(2).

WARREN COUNTY
BY: 
Michael O. Buchanan,
Warren County Judge Executive

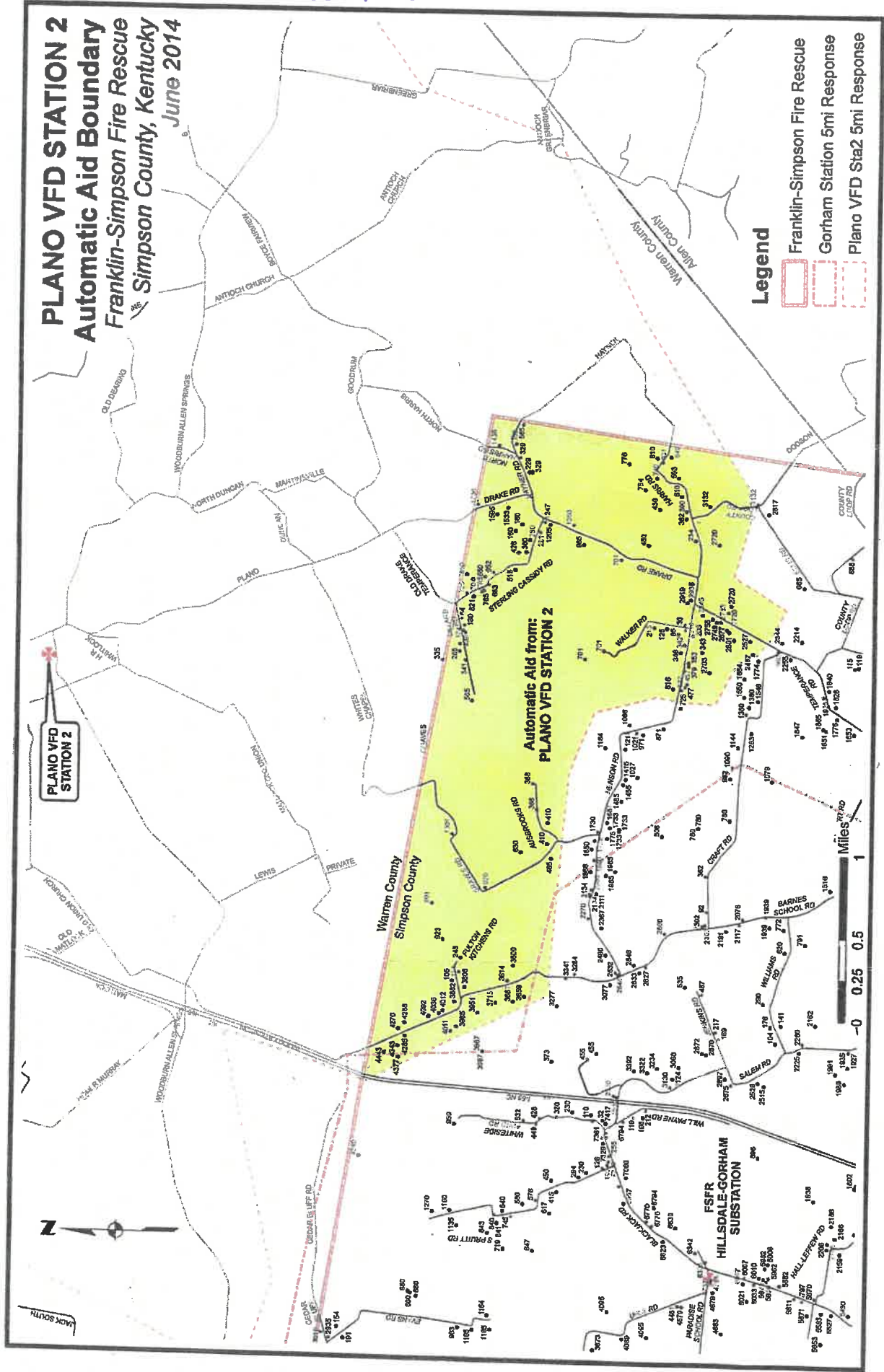
ATTEST:

Brenda Hale, Clerk
Warren County Fiscal Court

SIMPSON COUNTY
BY: 
Mason Barnes
Simpson County Judge Executive

ATTEST:

Pam Rohrs, Clerk
Simpson Fiscal Court

PLANO VFD STATION 2
Automatic Aid Boundary
Franklin-Simpson Fire Rescue
Simpson County, Kentucky
June 2014

336-F-3



DOCUMENT NO: 1193361
RECORDED ON: 9/16/2019 1:17:00 PM
COUNTY CLERK: JOLENE S THURMAN
COUNTY: SIMPSON COUNTY
BOOK: MC9 PAGE: 125 - 129 MISC
Signed: MH

DOCUMENT NO: 1162222
RECORDED: September 17, 2019 01:56:00 PM
TOTAL FEES: \$19.00
COUNTY CLERK: LYNETTE YATES
DEPUTY CLERK: BAILEY ADAMS
COUNTY: WARREN COUNTY
BOOK: AC19 PAGES: 260 - 272