

**COMMONWEALTH OF KENTUCKY
KENTON COUNTY FISCAL COURT
KENTON COUNTY, KENTUCKY**

ORDINANCE NO. 150.8

**AN ORDINANCE RELATING TO THE KENTON COUNTY FISCAL COURT, ENACTING AND
CREATING THE KENTON COUNTY TRANSPORTATION IMPROVEMENT DISTRICT (TID)
AS AUTHORIZED BY KRS 184.350-184.395.**

WHEREAS, the Kentucky General Assembly has determined that surface transportation projects are essential and will contribute to the improvement of the prosperity, health, safety, and welfare of the people of a transportation improvement district and to all of the state; and

WHEREAS, the Kentucky General Assembly has further determined that it is in the public interest and a proper public purpose for a transportation improvement district to acquire, construct, enlarge, improve, equip, sell, lease, lease-purchase, exchange, or otherwise dispose of property, structures, and other facilities for such transportation projects; and

WHEREAS, the Kentucky General Assembly has authorized the creation of Transportation Improvement Districts by the legislative body of counties or cities with a population of twenty thousand (20,000) or more within the Commonwealth of Kentucky to promote industry, commerce, distribution and research activity in the state; and

WHEREAS, recognizing the need for enhanced transportation infrastructure, the Kenton County Fiscal Court deems it appropriate to establish a Transportation Improvement District (TID) in accordance with and adherence to Chapter 184.350-184.395 of the Kentucky Revised Statutes for the purpose of construction, reconstruction, improvement, alteration, or repair of any road, highway, public place, building, project as defined in KRS 184.350, or other infrastructure where the public improvement will benefit the area where it will be constructed, reconstructed, improved, altered, or repaired; and

WHEREAS, the projects initiated by a TID and the exercise of its authority, as per KRS 184.350- 395, are deemed essential and are anticipated to contribute significantly to the enhancement of the prosperity, health, safety, and welfare of the citizens of Kenton County; and

WHEREAS, the establishment of the TID is also anticipated to foster mobility, industry and community within the County, the region, and the Commonwealth.

NOW, THEREFORE, BE IT ORDAINED by the Kenton County Fiscal Court, County of Kenton, Kentucky, as follows:

Section I

The Kenton County Fiscal Court hereby establishes the Kenton County Transportation Improvement District, encompassing all territory within the boundaries of Kenton County, Kentucky.

Section II

The Transportation District (TID) is designed to facilitate intergovernmental and public-private cooperation in the realm of transportation resources and investments. Accordingly, the TID shall conform to all requirements and provisions of KRS 184.350-KRS 184.395.

Section III

In accordance with KRS 184.353, the Kenton County Fiscal Court shall appoint the Transportation Improvement District Board of Trustees. The Board of Trustees shall:

- A. Be comprised of five (5) voting members, one (1) nonvoting member appointed by the legislative body of the largest city in the county, and one (1) nonvoting member appointed by the regional planning commission for the county.
- B. All appointees must be residents of the county establishing the district.
- C. Two (2) voting members shall be members of a chamber of commerce in the county. Entities meeting the definition of "chamber of commerce in the county" shall be determined by the Kenton County Fiscal Court.
- D. Nominations for membership on the Transportation Improvement District Board of Trustees shall be made as follows: 1. For the initial term, two (2) members shall be nominated for a full term by the Judge/Executive and one (1) member shall be nominated by a Commissioner in each commissioner district. Pursuant to the statutory requirement for staggered terms, the initial period for Commissioner District 1 and Commissioner District 2 shall be three (3) years and Commissioner District 3 shall be two (2) years. 2. Nominations for board members for subsequent full terms shall be made by the Judge/Executive or commissioner district that nominated the original position. All nominees may reside anywhere within the boundaries of Kenton County.
- E. Nominees shall be confirmed by a majority vote of the Fiscal Court.

Section IV

Once established, the Board of Trustees of the Transportation Improvement District shall adopt by-laws to govern the affairs and conduct of the District as authorized by KRS 184.355. Such by-laws shall be effective only upon approval by the Kenton County

Fiscal Court. Amendments to the approved by-laws shall require approval by the Kenton County Fiscal Court.

Section V

At least semi-annually, the Board of the Transportation Improvement District shall present to the Kenton County Fiscal Court, a report of the activities of the District, an update on all approved projects, an accounting of all funds held by the District and any additional information as requested by the Fiscal Court or desired to be reported by the District.

Section VI

This ordinance shall be in effect and in full force from and after its passage, publication, and recording, according to law.

Section VII

This Agreement, pursuant to KRS Chapter 65, is subject to approval by the Attorney General or the Department for Local Government of the Commonwealth of Kentucky, as indicated and confirmed by the signature of the Attorney General and/or the Commissioner of the Department for Local Government hereon below, pursuant to KRS 184.353(2)(b) and 65.260(2)(3).

First Reading the 14th day of May, 2024

Second Reading the 28th day of May, 2024

Adopted this ____ day of _____, 2024 Yes_____ / No_____

Fiscal Court of
Kenton County, Kentucky

By:_____

Kris Knochelmann, Judge/Executive

ATTEST:

Sue Kaiser, Fiscal Court Clerk

Date